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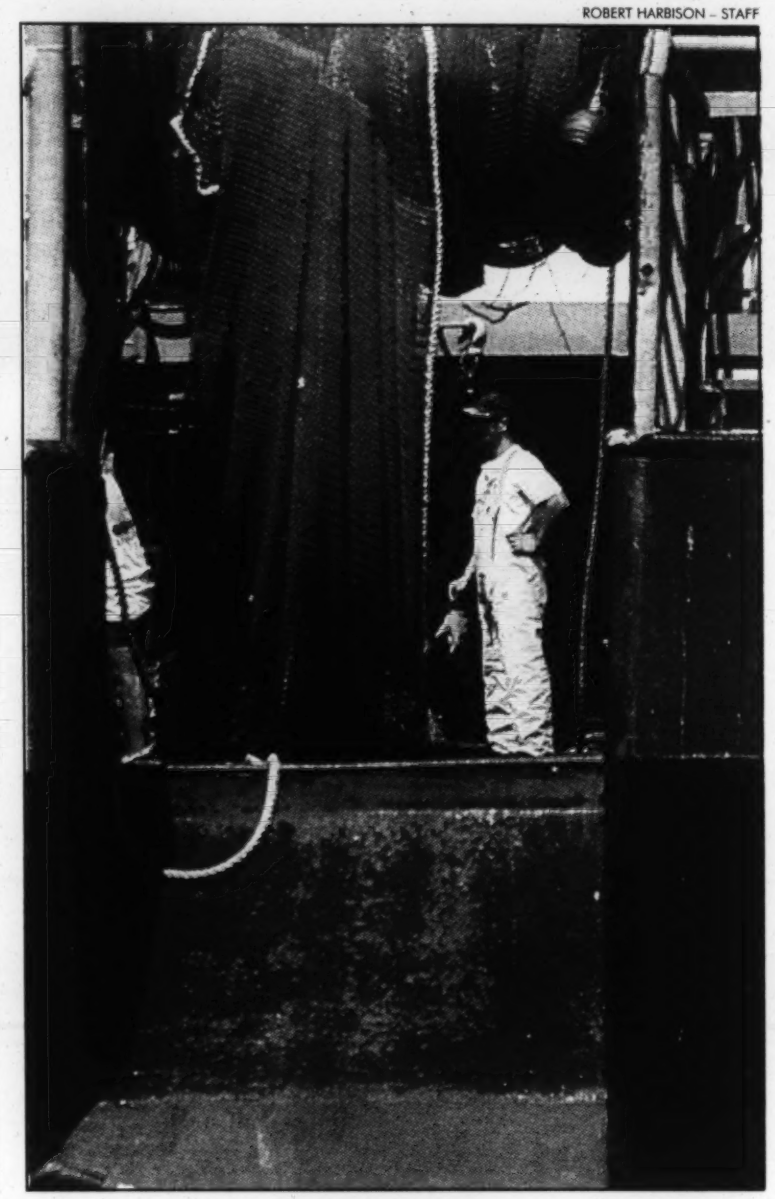
ROBERT HARBISON – STAFF



Fishing Fray

As fish stocks have depleted, New England fishermen,such as this one at Gloucester, Mass., harbor, face increasing restrictions from the federal government on how they can fish.

PAGE 8.

Airstrikes in Somalia Show UN Is In for Long Haul

US-led raids deal a 'significant military setback' to warlord Aideed

By Peter Grier

Staff writer of The Christian Science Monitor

WASHINGTON

WAVES of United States-led attacks on the Somali warlord seen as responsible for the killing of Pakistani peacekeepers emphasize that, for the world community, getting out of Somalia is going to be much harder than going in.

Some six months after US troops first landed on Mogadishu beaches in a blaze of television lights, Somalia is still far from a politically stable country. It has no functioning government, no national security forces, and is still unable to feed many of its people without outside aid. **(Somalis call for follow-up, Page 14)**

At the same time, the large-scale presence of United Nations forces seems to be a symbol of quasi-occupation to restive elements of the Somali population. In what appeared to be well-coordinated attacks on Pakistani patrols last week, Gen. Mohamed Farah Aideed seemed to be trying to test the UN's mettle. General Aideed perhaps thought he could expand the limits of his own power, since heavily armed US troops had mostly left.

Instead, he provided the occasion for the Clinton administra-

See **SOMALIA** *page 14*

Despite Conventional Wisdom, Clinton Chalks Up Early Wins

By Linda Feldmann

Staff writer of The Christian Science Monitor

WASHINGTON

PSSST. If you read the fine print in Congressional Quarterly, you'll discover a secret about Bill Clinton's presidency: It's been a smashing success so far.

In its "presidential success" study, CQ has found that, through the Memorial Day recess, President Clinton's position has won in the House 96 percent of the time and the Senate 87 percent.

The CQ study looks only at items that go for a final vote, so, for example, the president's failure to end a GOP filibuster on his economic-stimulus bill doesn't count. But the fact remains that he has enjoyed considerable success in Congress.

Mr. Clinton is also beating his two immediate predecessors in putting top appointees in place, according to the White House. As of June 1, it says, Clinton had confirmed 151 people to senior positions. President Reagan had 140 people confirmed and President Bush 97 by this point.

"There are many ways of measuring success and failure" when looking at a president, says presidential scholar Norman Ornstein. "You can do a batting-average approach and show that, in some

See **CLINTON** *page 14*

ET TU, NORMAN?

Britain's Major Faces New Enemy: a Former Friend

By Alexander MacLeod

Special to The Christian Science Monitor

LONDON

PEOPLE who claim the House of Commons produces some of the world's best political drama have been vindicated by the uproar over John Major's dismissal of the man who masterminded his rise to the premiership two and a half years ago.

Mr. Major's sacking of Norman Lamont on May 27, and the deposed chancellor of the exchequer's savage counterattack on June 9, have jolted an already disheartened Tory government.

Many of Major's supporters say privately that the wounds administered to the prime minister by his former friend were so deep that Major's days as Britain's leader may be numbered.

Back in November-December 1990, in the clamor caused by Margaret Thatcher's removal as prime minister, it was all very different. Major was chancellor, and Mr. Lamont his loyal deputy at the Treasury. When Michael Heseltine, a Conservative backbencher, launched a challenge for the premiership, it was the plump, beetle-browed merchant banker who began championing Major's virtues among parliamentary colleagues who would choose the next leader.

"Norman worked tirelessly for John, who started as an outsider," a senior Conservative backbencher says. "When John defeated Michael it was no surprise that he gave Norman his old job."

The Conservatives' victory in the April 1992 general election appeared to cement the two men's political alliance. Lamont devised a novel plan for reducing income tax for low-wage earners. Major stumped the country, commending his chancellor's tax cuts.

But the seeds of a falling-out were already present. According to William Keegan, a leading economic analyst, a combination of internal and external factors produced a political climate that neither man could master.

The April election had been fought against a background of deepening economic recession. Soon after he was reinstalled at the Treasury, Lamont declared that "the green shoots of recovery" were apparent.

See **MAJOR** *page 20*

COVER STORY

New Orleans, Where The Good Times Roll, Now Rolls the Dice

A city once known for riverboat gamblers is building the world's largest casino; but many doubt that gaming will bring the benefits its proponents claim.

9

North Korea to Remain Within Nuclear Treaty

BOWING to international pressure, North Korea Friday reversed its decision to withdraw from the Nuclear Non-Proliferation Treaty – at least for now – after last-ditch talks with the United States.

But North Korean officials gave little indication they were prepared to allow inspectors from the International Atomic Energy Agency (IAEA) to investigate two military sites Washington suspects of producing nuclear weapons materials.

Meanwhile, Japanese officials said yesterday that North Korea conducted tests last month of its new Rodong 1 missile, believed capable of delivering warheads to Japan.

The agreement announced Friday in New York contained promises known to be important to the North Koreans.

These included pledges not to initiate nuclear warfare, support for a nuclear-free Korean peninsula, support for the "impartial" application of IAEA safeguards, non-interference in each other's internal affairs, and support for the peaceful reunification of Korea.

The US and the international community became seriously alarmed when Pyongyang announced in March that it would withdraw from the NPT, which aims to prevent the spread of nuclear weapons. Many saw it as confirmation that North Korea had an ambitious nuclear program under way.

Cambodia Returns to War

Prince Norodom Rannaridh, leader of Cambodia's newly elected governing party, ordered his soldiers to prepare for war with secessionist troops in eastern Cambodia yesterday.

Violence was reported in the secessionist region, which was declared autonomous Saturday by renegade soldiers of the outgoing government who refused to accept the ruling party's loss in elections last month.

Prince Norodom Chakrapong, an official of the Vietnamese-installed government that lost last month's UN-organized elections, led the secessionist movement. He is the half-brother of Prince Rannaridh, who heads the royalist party known as FUNCINPEC.

Prince Chakrapong barred UN peacekeepers and FUNCINPEC members from the seven autonomous provinces.

Chakrapong claimed the polling was fraught with irregularities and refused to honor the results, which have been recognized by the UN.

– Compiled by Eric C. Evarts

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INTERNATIONAL

Hollow Western threats and riots in Belgrade let the embattled leader oust key opponents

Milosevic's Maneuvers Solidify His Reign in Serbia

By Jonathan S. Landay
Special to The Christian Science Monitor

BELGRADE

PRESIDENT Slobodan Milosevic of Serbia has weathered the most difficult period of his six-year rule, his hold on power sustained by brute force and discord within the international community.

Mr. Milosevic has eliminated key political challengers and managed to maintain his influence within the Serb-dominated Yugoslav Army. At the same time, he has escaped international military intervention to end the war in Bosnia-Herzegovina and avoided a potentially disastrous feud with Bosnian Serb leaders and their supporters in Serbia over his endorsement of the international peace plan.

Consequently, Milosevic remains the chief arbiter of political power in the Serbia-controlled remnants of former Yugoslavia.

"Mr. Milosevic is now stronger than ever because his opponents are confused, weak," says Filip David, a Belgrade author and journalist.

But with the rump Yugoslav union of Serbia and Montenegro beset by an economic catastrophe caused by international sanctions, many observers say Milosevic is having to use repressive measures to avert social upheaval.

"He is still king of the hill, but the ground is crumbling," a Western diplomat here says. "To stay up there now, he is prepared to use force against anybody who moves against him."

The regime's harsh treatment of Vuk Draskovic, leader of the Serbian Renewal Movement, the main opposition party known by the initials SPO, makes the point. Despite international demands for their release, Mr. Draskovic and his wife, Danica, remain in Belgrade's central prison two weeks after being arrested and beaten by police.

The two were seized hours after clashes on June 1 between police and opposition supporters protesting an attack in the Yugoslav Parliament on an SPO delegate by a deputy of the Milosevic-nurtured Serbian Radical Party (SRP). The regime accused the Draskovics of undermining constitutional order – a charge defense lawyers say does not exist in the criminal code – and has refused to allow them outside medical treatment.

SPO officials and other observers contend that Milosevic saw in the June 1 riots an opportunity to eliminate the one politician capable of galvanizing the divided opposition and demonstrate that he would brook no dissent.

"The purpose is to destroy the opposition parties and to fill the citizens of Serbia with fear," says Nikola Barovic, a human rights lawyer representing Draskovic.

HUGON/AFP

CHIEF ARBITER: *Serbian President Slobodan Milosevic has tightened his grip on power, but he could face new tensions with Croatia, where Serb rebels seek secession.*

A day before the unrest outside the federal Parliament, Milosevic dispatched his other main potential rival, engineering the unprecedented ouster of the president of Yugoslavia, Dobrica Cosic, once a close ally. Milosevic's Socialist Party of Serbia (SPS) joined with the SRP, the second-largest political party in the legislature, in passing a no-confidence vote against Mr. Cosic, who was accused of exceeding his powers and planning a coup with senior Yugoslav Army generals.

The vote itself violated the Constitution because it should have been taken only after charges against Cosic were upheld by the Constitutional Court.

Cosic's fall was apparently the price Milosevic agreed to pay in return for ending a feud with the SRP's ultra-nationalist leader, Vojislav Seselj, hard-line nationalist Yugoslav Army generals, and the Bosnian Serb leadership over his endorsement of the Vance-Owen peace plan for Bosnia.

Mr. Seselj turned against the former president last year because of his support for the pro-peace policies of former prime minister Milan Panic.

The rejection by the Bosnian Serbs and Serbia's ultra-nationalists of Milosevic's demand that they accept the Vance-Owen plan represented the greatest political rebuff ever dealt to the Serbian strongman. It raised a real possibility that Seselj would force new elections by withdrawing the support his party has provided to Milosevic-controlled minority governments in Serbia and at the federal level.

Milosevic, observers say, was aided by the disputes between the United States and its European allies over policy toward Bosnia.

While confronted with the growing threat of military intervention, Milosevic stood publicly behind the peace plan, announcing that he was cutting all but humanitarian supplies to the Bosnian Serbs. But when the Western threat proved hollow, he no longer felt bound by his decisions, anaylsts say, and mended fences with Seselj and the Bosnian Serb leadership.

Just how far Milosevic is willing to go in disposing of new perceived domestic challenges might be seen this week in the regime's reaction to opposition parties' plans to hold protests over the detention of the Draskovics.

He also faces new problems outside rump Yugoslavia, including renewed tensions with Croatia. Belgrade-backed minority Serb rebels there have called a referendum for next weekend on joining their territories with those conquered by the Bosnian Serbs.

Milosevic is expected to discuss that issue as well as the Bosnia conflict in talks this week in Geneva with his Croatian counterpart, Franjo Tudjman, and Bosnian leader Alija Izetbegovic.

Wary Iranians Give Leader a Second Term

By Stephen Hubbell
Special to The Christian Science Monitor

TEHRAN

THE Iranian leader has won an ambiguous victory in presidential elections here, reducing the prospects that his program of economic reform will continue and endangering his efforts toward a limited rapprochement with the West.

President Hashemi Rafsanjani earned a second four-year term with 63 percent of the popular vote in balloting on Friday, according to figures released yesterday by Iran's Interior Ministry. In the days preceding the contest, Western diplomats and other observers had forecast that the president would emerge with more than 90 percent of the total.

Mr. Rafsanjani's nearest rival, an economic columnist and former labor minister with strong ties to the powerful religious community, did surprisingly well, taking 24 percent of the roughly 17 million votes cast.

Apathy ran high in the presidential contest, which senior officials had hoped would provide a sweeping mandate for Rafsanjani's program of economic and political liberalization. Instead, less than 60 percent of the eligible electorate cast ballots, far below the 80 percent participation level that officials had predicted late last week.

"This is a stunning disappointment for Rafsanjani," one diplomat here commented. "It was very much a referendum on the man and his policies. The low turnout says it all."

Government officials doubted the president would make an anticipated public appearance, given his relatively poor showing in the polls.

In power since 1989, Rafsanjani has embarked, albeit tentatively, on an economic program that would free exchange rates, cut government subsidies, and encourage private investment. In recent months, he has also quietly indicated he would welcome expanded financial and political ties with Europe and the United States, a bold departure from the virulent anti-Western rhetoric of the 1979 revolution that brought his predecessor, Ayatollah Ruhollah Khomeini, to power.

But Rafsanjani is opposed by a politically powerful group of religious leaders, called mullahs, many of whom have cast themselves as Islamic populists, and by a growing segment of poor Iranians who have been squeezed by his free-market policies.

Inflation and unemployment run high in Iran, and the leadership had hoped Friday's polling would increase the momentum for change. But the president's weak showing is likely to invigorate his opponents and demoralize his supporters.

'This is a stunning disappointment for Rafsanjani. It was very much a referendum on the man and his policies. The low turnout says it all.'

– Diplomat in Tehran

"The mullahs will stop Rafsanjani from doing anything new," insisted Nador Farhang, a high school geography teacher in Tehran, who stayed away from the polls.

Many Tehranis complained privately that the elections, which had been carefully orchestrated by the government to avoid a repeat of the widespread unrest that marred last year's parliamentary contest, offered them no real choice. The upper house of the Iranian parliament, the Council of Guardians, vetted a list of 128 aspirants for the presidency and emerged with four candidates, all remarkably similar in their outlook and programs.

True to the Iranian norm, this campaign contained more than its share of anti-American bluster and demands for greater steadfastness against Iran's "enemies." At a rally on the campus of Tehran University Friday, senior religious leaders chanted "Death to America!" and lamented Western economic "terror" against the Iranian people.

Visitors to the ballot-counting office at the Interior Ministry in Tehran were obliged to tread on an American flag as they entered the room. Voters interviewed on election day repeatedly mentioned dislike of the US as an attribute they sought in their president.

"Rafsanjani really hates the Americans," said Mohammad Hussein Renaid, an engineering student and supporter of the president, as he arrived at a polling station in central Tehran Friday. "He's definitely the best enemy of the United States."

Rafsanjani's reputation as a pragmatist helped him in the 1989 elections, when he officially took more than 90 percent of the popular vote and appeared to be the heir to Khomeini's political legacy.

But his image as a realist and shrewd dealmaker may have hurt him Friday as he struggled to hold together an increasingly fragmented political system.

Political power in Iran is divided between the presidency, the parliament, and the mullahs, who control wealthy foundations that dispense millions of dollars worth of social services and patronage.

Rafsanjani's foreign policy ambitions also have been stymied by the Clinton administration's resolve to keep up diplomatic and economic pressure against Iran. Last week, Secretary of State Warren Christopher called on Western allies to curtail their commercial and military ties with the Tehran regime.

But observers here agree that Rafsanjani's political future rests on his ability to deliver greater economic growth and prosperity.

"The next two years will be decisive for Rafsanjani," remarked one senior Western diplomat. "He will sink or swim with his economic program."

Australia Revisits Whether Judges Reflect Society's Values

Comments from the bench in a series of rape cases has Australians clamoring for reform of the judicial system

By Catherine Foster
Staff writer of The Christian Science Monitor

SYDNEY

IN the wake of scandalizing comments by judges hearing rape cases, Australia is starting to examine some of the basic principles in its laws. Rising numbers of women say the law discriminates against them.

In a speech at the conference on Women and the Law in Melbourne on June 9, Justice Elizabeth Evatt, president of the Australian Law Reform Commission, said judges who displayed overt bias against women in the courtroom or made sexist comments against women lawyers should be prevented from hearing similar cases.

That is one option for removing gender bias in the courts that the Law Reform Commission is working on for an issues paper on equality for women in the law, which will be released in early July. Recommendations also include the establishment of judicial disciplinary bodies and enshrining guarantees of equality in the Australian Constitution.

The proposals come amid a reexamination of the Australian courts' relevance to society after a number of rape cases made the news:

■ A Sydney District Court Judge said last month that a woman who had been raped by three men after asking them for a ride had not been traumatized because she continued to live with her boyfriend two years after the rape.

■ A Court of Appeals in Victoria last month overturned a ruling of a Supreme Court judge who imposed a lesser sentence on a rapist. Because the victim was unconscious, the high court justice said, she might not have been traumatized.

■ A County Court judge in Victoria said in a rape case last month that women who said no to sexual advances often meant yes.

■ The South Australia Court of Appeals ruled last month that a Supreme Court justice had erred when he said in a case last year that he saw nothing wrong with a husband using "rougher than usual handling" to persuade his wife to have sex. A petition organized by the state Democratic Party to have him removed from the bench was signed by 8,500 people.

Judges 'come from that narrow social band, [and] they probably do reflect accurately one slice of community standards.'

– Law professor

Each time a new comment comes out, the media is filled with outrage over Australia's "out of touch" judges. But legal experts say the problem has less to do with individual judges than with systematic discrimination in the courts.

"It's not a problem with individual judges," says Justice Deirdre O'Connor, justice of the federal court and president of the Administrative Appeals Tribunal. "It's not about being 'thought police' or retraining people. We want to develop a set of materials to stimulate people into thinking about the issues. The end goal is to have a justice system that is not only fair but is seen to be fair by everybody. People have to have confidence in the system."

The judiciary still operates on the British model of appointing judges from a small, homogeneous group of barristers.

"Judges are not alone," says Tony Blackshield, a law professor at Macquarie University. "They come from that narrow social band, [and] they probably do reflect accurately one slice of community standards."

"What to do about that is more problematic," he says. "We don't simply want a judiciary representative of the community, we want one that expresses what is best in our community, a judiciary that can even sometimes provide moral leadership, the way the US Supreme Court has sometimes done."

But that means changing how judges are chosen, and there is no talk of that. While equal numbers of men and women are graduating from law school today, far fewer women are pursuing a career at the bar.

The focus on the judges' comments, however, obscures progress that has taken place in recent years. The Western Australian Supreme Court is educating judges about gender bias and has hired a consultant to make recommendations on a program. The Australian Institute of Judicial Administration is developing gender-bias programs to be used in courts throughout Australia.

ECONOMY

Stagnant retail sales keep interest rates low, but spell bad news for consumer-goods companies

No Big Thrust in Inflation Lets the Fed off the Hook

By Guy Halverson
Staff writer of The Christian Science Monitor

NEW YORK

LAST week's good news on inflation – wholesale prices in May showed no upward movement – raised cheers throughout Wall Street.

"The market has been waiting to see which way" the arrows would point regarding inflation, says Gene Jay Seagle, vice president of Gruntal & Company Inc., an investment house. The May numbers for the Producer Price Index showed little inflationary thrust in the economy. And that in turn takes the pressure off the Federal Reserve Board to push up interest rates, which was good news to the investment community.

Presumably, Mr. Seagle says, the Consumer Price Index, which comes out tomorrow, will match the Producer Price Index in showing minimal, or only moderate, inflationary pressures. But that is not to say that the market – which has been pushing the 3,600-point level on the Dow Jones industrial average – is free of challenges, experts say.

This particular bull market is 30 months old and the economy is posting stodgy growth. The Commerce Department announced Friday that retail sales barely inched upward in May, growing at a 0.1 percent rate after jumping a revised 1.5 percent in April.

While the stagnant May retail results bolstered the case against the Fed needing to raise interest rates, the low numbers did not come as happy news for large United States consumer-goods companies, which depend on the willingness of Americans to make big-ticket purchases.

"There's been just a great deal of fear and trembling" regarding the direction of inflation and interest rates, says Larry Wachtel, a vice president with Prudential Securities Inc. "This market is definitely getting tired, and it's now moving in fits and starts," with even relatively minor developments sending popular indexes such as the Dow up or down.

That happened June 10, when the 3M Company announced that its quarterly earnings ending June 30 will be lower than expected, helping to lower the Dow Jones industrial average 20 points.

The stock market has been heading upward this year. In January the Dow fell below the 3,250-point level. But on May 27, it hit 3,554.83 points, an all-time high.

NEAL J. MENSCHEL – STAFF

STICKING WITH STOCKS: *Analysts expect stocks, traded here at the New York Stock Exchange, to remain the top investment area through 1993 and into 1994.*

Other indexes, including Standard & Poor's 500 and the Nasdaq composite index, also have been moving up. But so too have gold prices, which often presage higher inflation.

Given high share valuation levels – with the price-to-earnings ratio on the Dow now standing at a high level – and the length of this particular bull market, the current trading environment warrants a great deal of caution, Mr. Wachtel says.

Still, he says that for now there is "nowhere else to go," except equities, in terms of return on investment.

Certificates of deposit and money market accounts, for example, continue to pay far lower returns than stocks; commodities such as gold and silver are subject to day-to-day price fluctuations and risk; the bond market is edgy about the course of long-term interest rates.

Given such factors, Wachtel says that the stock market will remain the primary investment market in the US through 1993 and into 1994.

The market is undergoing a major transformation: The emphasis on consumer stocks, which has been a mainstay of investing strategy in recent years, is being replaced by a greater emphasis on capital-goods companies, says William Raftery, a vice president of Smith, Barney, Harris, Upham & Company, an investment house. Investors, he says, are quietly shifting their money to what are considered more profitable companies.

A report, written by several top investment experts, has been privately circulating around brokerage houses on Wall Street in recent weeks.

The document reportedly suggests parallels between the current market environment and that of 1929, just before the market crashed.

Most experts, however, say that a repeat of 1929 is unlikely. Even market "enthusiasts," such as Seagle of Gruntal, who says that the Dow could reach 3,600 points this year, concede that there could be a modest correction.

But most experts insist that – barring the unexpected – the US economy should continue to expand slowly. And that should propel gains within the stock market.

Computer Software Prices Tumble Like Computer Hardware

By Laurent Belsie
Staff writer of The Christian Science Monitor

PITTSBURGH

IT is a lasting price cut nobody wants to acknowledge. Computer programs that once sold for $500 or more are now going for around $100. The software industry claims these discounts are temporary, but they look permanent.

"Word-processing, graphics – any sort of homogenous application like that – is considered more or less a commodity," says Charlotte Walker, senior managing director of Martin Simpson, a division of the investment banking firm Reich & Company. "You have price pressure."

"Nobody is out there wanting to pay $200 for their software anymore – not when they bought their computer for $499," adds Kevin O'Leary, president of SoftKey Software Products Inc. "The price of software in two years will be under $10."

That is a bold prediction – one not shared by a majority of analysts or software vendors. But signs are emerging that, just as computer hardware prices continue to spiral downward, so will software prices.

The official price of the leading spreadsheet program – Lotus 1-2-3 – is $495. But anyone who bought a previous version (or any leading competitor's spreadsheet) can get the program for $129. The strategy is known as competitive upgrade and most leading vendors use it. Borland International introduced its new $795 database in February with a 90-day upgrade price of $139.95. When the 90 days ran out, it extended the offer another 90 days. Some of the discounting is just jockeying for position, says Kathryn Roy, director of marketing for Lotus Development Corporation. But "what we've seen is our list prices having less meaning over time."

ANOTHER tactic is to sell a bundle of software at a deep discount. Recently, Borland and WordPerfect Corporation joined forces to market a trio of flagship products: Borland's database and spreadsheet with WordPerfect's word-processing program. Total cost bought separately at list price: $1,785. Special bundle cost: $399.95. The upgrade is only $299.95 if a user has any one of a competitor's spreadsheet, database, or word-processor.

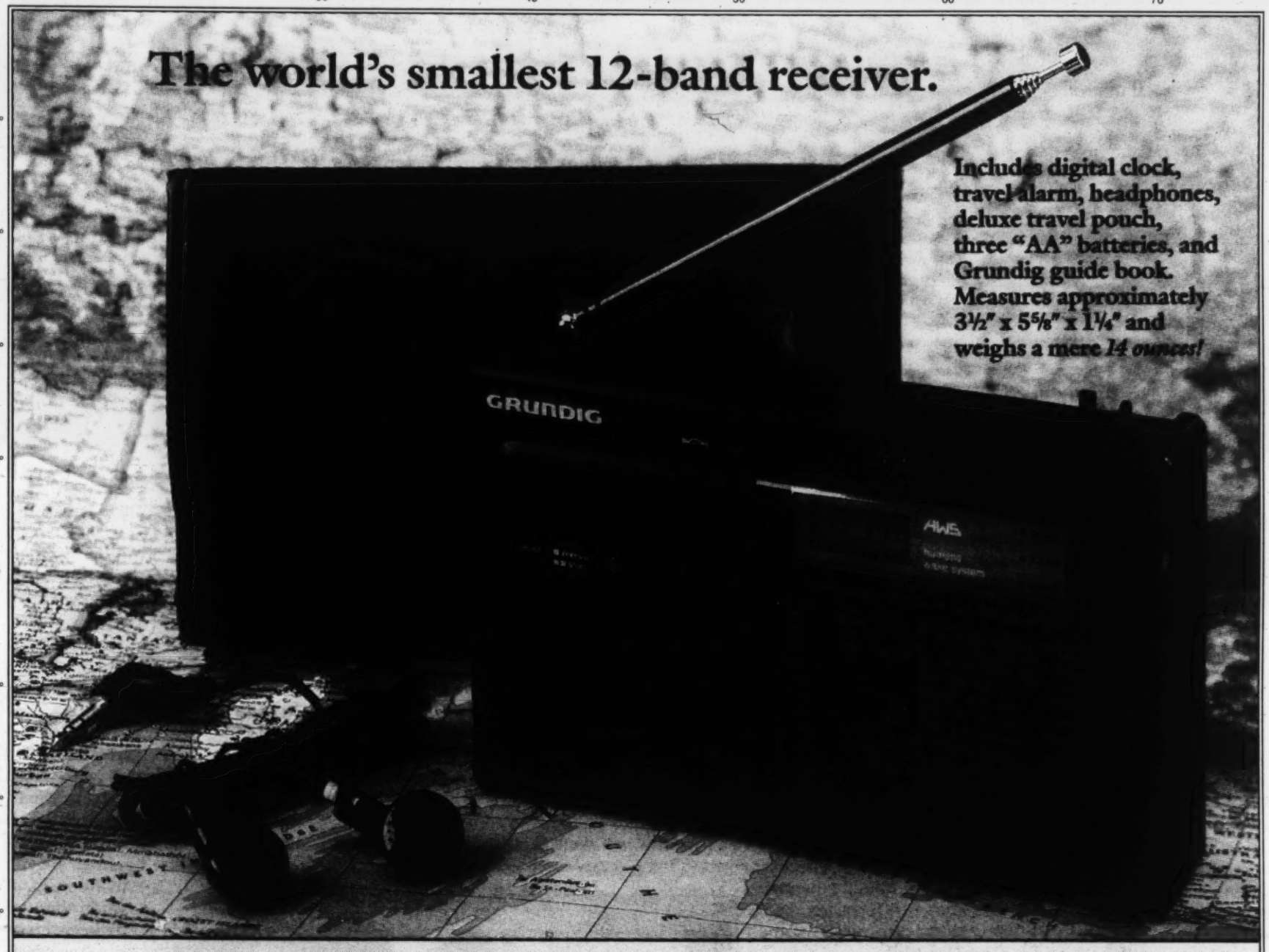
Determining who qualifies for a competitive upgrade can be a lax process. WordPerfect is selling the latest version of its $495 word processor for $129 to anyone who owns a word-processing program. How does it know who owns a word-processing program? Apparently, it does not. The company requires no proof of ownership to qualify for the competitive upgrade, says a company order clerk reached by the Monitor.

Software companies continue to discount because they are making up in volume much of what they lose in margin. Last year, North American software sales jumped 14.1 percent to $5.75 billion, according to the Software Publishers Association. But unit sales leapt 36 percent. "Manufacturers are beginning to realize that with every $10 drop in prices, sales go up exponentially," says Craig Froelich, marketing coordinator for Dustin Discount Software in Woodland Hills, Calif.

"It takes a lot of $99 sales to equal $1 million dollars," adds Alan Henricks, Borland's chief financial officer. But "we can survive this."

Pricing pressures will force some companies to fold or merge, says Ms. Walker of Martin Simpson. Lotus announced June 8 it was acquiring a small database company called Approach Software Corporation. Software companies are also having to pay close attention to how much free support they can afford to offer users who have questions on how to use the software.

Softkey has perhaps the most aggressive pricing stance. The company, which recently announced a reverse takeover of WordStar International, introduced in 1988 a line of software products for $39.95 each. Last year, it offered a new line for $14.95. In January, it launched a third line of programs for $5.99. "It's outrageous that people should have to pay $200 for something that costs $5 to make," SoftKey's Mr. O'Leary says.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EVAN RICHAMAN/REUTERS

JUDGE BREYER: *Front-runner in trouble.*

High Court Nomination Hits a Snag

PRESIDENT Clinton has put off an announcement of his first selection to the Supreme Court until at least today as questions arose about front-runner Judge Stephen Breyer's failure to pay Social Security taxes for a domestic employee.

A White House official confirmed a CBS report that Mr. Breyer had failed to pay Social Security taxes and said the White House had known of the situation "for quite a while."

The official said the White House was taking the matter seriously in discussions with senators, but did not believe it would disqualify Breyer or be a serious barrier to his confirmation if nominated.

The official said he did not have full details of the Breyer situation, but said it definitely was "not a Zoë Baird" problem of knowingly hiring an illegal immigrant and failing to pay taxes.

WASHINGTON WATCH

The White House official compared Breyer to others appointed by Clinton – including Commerce Secretary Ron Brown – who did not know they were supposed to pay Social Security taxes for certain workers and paid them, retroactively, when apprised.

Another White House official said the administration discovered the situation "a number of weeks ago" and briefed several senators on the matter "before we even approached Breyer." The official said Clinton "has been aware of it, too. I'm not sure how long, but he's been aware of it."

A source close to Breyer said the employee in question has worked at the Breyer household one or two mornings a week over the past 13 years and was over 65 and already drawing Social Security benefits when she started. The source said it never occured to the Breyers that they should be paying Social Security to the woman, who is a family friend.

Breyer is the chief judge of the First US Circuit Court of Appeals in Boston.

– Associated Press

NATIONAL

Facing a flood of illegal Chinese immigrants and banner headlines, lawmakers and the White House are rushing to introduce bills to change US political-asylum laws

Illegals Are on Capital Fast Track

By John Dillin
Staff writer of The Christian Science Monitor

WASHINGTON

IMMIGRATION issues are suddenly red hot in the nation's capital.

Congress and the White House, alarmed by boatloads of illegal Chinese immigrants landing on both coasts, are moving swiftly. As early as this week, legislation to stem the flow may be introduced with support from ranking Democratic leaders.

There is a growing consensus in Washington in favor of decisive action. Congressional sources say between 20 and 50 ships filled with would-be immigrants from China are now either on the high seas bound for the United States, or preparing to depart. Thousands of Chinese – estimates range between 10,000 and 100,000 – have entered the US illegally during the past year. Many immediately head for the New York City area, where they vanish into the growing Chinese community that now reaches from Manhattan into Queens and Brooklyn.

The immigrants pay Chinese smugglers, known as "snakeheads," from $15,000 to $35,000 for passage to the US. A single boatload of 300 Chinese, mostly from impoverished Fujian Province, could reward smugglers as much as $10 million.

Government sources say smuggling illegal aliens has developed into a hugely profitable business for Chinese criminals, who are becoming a serious threat to law-and-order in the New York City area and on the Pacific Coast.

Sociologist James O'Kane, who teaches criminology at Drew University in Madison, N.J., says organized Chinese crime "presents police with an impossible situation. The New York Police Department has very few Chinese-speaking policemen. And the government's organized-crime groups are still geared to Mafia types."

Headlines push Congress

Congress, which ordinarily takes years to formulate any change in immigration and refugee policy, is being spurred into action by banner newspaper headlines and an outraged public.

One Democratic source in Congress says extensive coverage by the media of the Chinese boat landings has increased chances for tough legislation. He says: "I don't know how many more front-page stories we can take here before this thing passes overnight. Never underestimate the power of the press. It's relentless."

A Republican source on Capitol Hill says telephone calls urging new laws are particularly numerous from California, New York, and Florida – three major receiving states for immigrants.

Dan Stein, executive director of the Federation for American Immigration Reform, says inside-the-Beltway attitudes toward immigrants changed rapidly as the public became alarmed.

Mr. Stein says: "There is an invasion quality with boat people that sends the population into a frenzy.... We have seen it in Italy, Greece, and off the coast of Canada with the Sri Lankans. Also Hong Kong with the Vietnamese boat people."

Several bills were introduced earlier this year in the House of Representatives and the Senate to better control alien smuggling and illegal entry. However, until the Golden Venture, a Honduran-registered ship with nearly 300 Chinese immigrants, beached on a popular New York City beach on June 6, the legislation had only tepid support.

JEFF CHRISTENSEN/REUTERS

US OFFICIALS DETAIN ILLEGAL CHINESE IMMIGRANTS, NEW YORK: *More than 250 immigrants were on a freighter that ran aground off a New York City beach on June 6. Six Chinese died trying to get off the ship.*

Now the White House is reported to be studying urgent measures. In the Senate, Democratic sources say new legislation may be introduced this week, and even reach the mark-up stage before week's end. In the House, Rep. Romano Mazzoli (D) of Kentucky, has vowed to expedite legislation to toughen US asylum law.

How serious is the problem?

Michael Lempres, a former Justice Department adviser on immigration, calls the current system "broken." Unless it is fixed, he sees significant dangers. Recently he told the Senate Judiciary subcommittee on immigration and refugee affairs:

"There is an immediate threat to the physical security of American citizens. This threat is real. At least one of the people arrested for bombing the World Trade Center entered the country by asking for asylum and not providing a single identifying document. Alien smuggling organizations use the gaping hole in the current system to ... enter thousands of people into this country...."

What caused the problem?

Well-intended federal policies went awry. Current law allows anyone arriving in this country to claim political asylum. The law was intended to help political activists who were fleeing persecution or harm, particularly in communist nations.

Floods of asylum-seekers

It was originally estimated that 5,000 people per year would ask for asylum. The actual number: 103,000 in 1992.

Because the US Immigration and Naturalization Service has only 5,000 detention spaces, and insufficient funds to rent or build many more, most of those asking for asylum are released into the country until they can get a hearing. They are given a work permit, which helps them get a driver's license and Social Security card.

There is currently an 18-month wait for an asylum hearing, but most never bother to show up. They simply vanish in the underground economy. With the Chinese, there is an additional problem. Four years ago, President Bush – reacting to the Chinese government's one-child-per-family rule – ordered that asylum be granted to any fertile person fleeing China for that reason. Most of China's 1-billion-plus people would probably qualify.

Various bills to address these problems are already in the hopper – introduced by Sen. Alan Simpson (R) of Wyoming, Representative Mazzoli, Rep. Bill McCollum (R) of Florida, and Rep. Charles Schumer (D) of New York. Joining that list this week may be Sen. Edward Kennedy (D) of Massachusetts, chairman of the Senate Judiciary subcommittee on immigration and refugee affairs.

In a statement, Senator Kennedy said the current situation makes inaction "indefensible."

The toughest issue for Congress will be asylum claims. Rep. Nancy Pelosi (D) of California recently told a San Francisco paper: "We do have a political obligation to grant asylum when the claim is real."

But there appears to be increasing sentiment to put highly trained INS officers at each entry port to rule immediately on each case. Some congressmen want the would-be immigrant to then be put quickly on an airplane and sent home. Others say there should be one more review before the alien is excluded. But even with a second review, there is growing sentiment to shorten the exclusion process to only days, not years, or months, or even weeks.

Supreme Court Upholds Wisconsin Hate-Crime Law

Move rejects claim that stiffer sentences violate freedom of expression

By Max Boot
Staff writer of The Christian Science Monitor

WASHINGTON

IN 1989, a group of young black men was lounging around an apartment building in Kenosha, Wis. "Mississippi Burning," a film portraying violence by Southern whites against blacks, was fresh on their minds. Suddenly, a young white boy walked by and Todd Mitchell, a leader of the black group, shouted: "There goes a white boy. Go get him!"

Get him they did. The group beat the youngster within an inch of his life. Mr. Mitchell was convicted of aggravated battery, which normally carries a maximum sentence of two years in jail. But his sentence was increased to four years under Wisconsin's new hate-crime statute.

Mitchell's lawyers appealed the stiffer sentence and Wisconsin's Supreme Court agreed that the sentence violated his constitutional right to freedom of expression. But on Friday, the United States Supreme Court unanimously decided to reinstate Mitchell's tougher sentence and, in the process, to uphold the constitutionality of Wisconsin's hate-crimes law.

"It's an important decision," says Geoffrey Stone, a University of Chicago constitutional scholar. "It authorizes states to adopt legislation of this sort, which has been previously thought to be constitutionally suspect."

More than 20 states – including California, Florida, and Vermont – have laws providing enhanced penalties for hate crimes. Other states, including Louisiana and Mississippi, have debated similar statutes. Last year, federal hate-crime legislation passed the House of Representatives but was defeated in the Senate.

Defense attorneys charge that the laws infringe upon First Amendment rights of criminal defendants. But others say they are necessary to combat a wave of bias-related attacks – 4,558 in 1991 alone, according to the Federal Bureau of Investigation.

"These crimes have a ripple effect on society," says Steve Freeman, legal-affairs director for New York's Anti-Defamation League. "We've seen that in Crown Heights and Bensonhurst in New York, in L.A., Miami, and Boston."

While legal scholars said they were not surprised by the high court's ruling in Wisconsin v. Mitchell, just a year ago the court had overturned another hate-crimes law. In R.A.V. v. St. Paul, justices ruled 5 to 4 that an ordinance banning cross-burnings and other displays of hatred was unconstitutional because it singled out some viewpoints for suppression.

The justices held that the difference between the two cases was that beating someone is not an expression of free speech. "Whereas the ordinance struck down in R.A.V. was explicitly directed at expression ... the statute, in this case, is aimed at conduct unprotected by the First Amendment," wrote Chief Justice William Rehnquist.

The justices rejected the argument that Wisconsin's hate-crime law could have a "chilling effect" on free speech by those who worry about receiving a stiffer sentence for any crime they might later commit. "This is simply too speculative a hypothesis to support Mitchell's over-breadth claim," Justice Rehnquist wrote.

Court-watchers point out that the justices could hardly have ruled otherwise. If the court had overturned Wisconsin's law, scholars say, the justices, in effect, would have invalidated three decades' worth of federal legislation against discrimination in housing, the workplace, and public spaces. Like the hate-crime law, Title VII and other anti-discrimination statutes punish actions motivated by racial, ethnic, or religious bias.

"The argument against hate crimes is that they're thought crimes, but discrimination is a thought crime, too," says David Cole, a Georgetown University law professor. "We have long understood that people are free to speak in a hateful way, but when they harm another person based on that speech, they can be punished."

R. NORMAN MATHENY – STAFF

US SUPREME COURT: *The decision to uphold the Wisconsin hate-crime law could protect similar legislation that exists in more than 20 states and almost passed at the federal level last year.*

High Court Holds the Line on Free Exercise of Religion

By Marshall Ingwerson
Staff writer of The Christian Science Monitor

WASHINGTON

THREE years ago, the Supreme Court dramatically trimmed the scope of the Constitution's free-exercise of religion clause in what may arguably have been the furthest stretch of the court's overall shift to the right.

So the next free-exercise case the court took was among the most closely watched of this year.

On Friday, the justices unanimously decided that the Constitution protected an unpopular religion in south Florida from local ordinances targeting its practices.

The decision surprised few. It did not roll back the court's last free-exercise decision in 1990. But to the relief of churches across the religious spectrum, it did not extend the earlier decision either.

The case of the Church of Lukumi Babalu Aye v. the City of Hialeah pitted a city ordinance against the ritual slaughter of animals against a Santeria church that sacrifices animals such as chickens and goats in its rituals.

Hialeah is a heavily Cuban, working-class city near Miami. The Santeria religion is a fusion of African animism brought to the Caribbean by Yoruba slaves and the Roman Catholicism of the Spanish settlers. Devotees of Santeria worship Catholic saints as spirits, who must be sustained through animal sacrifices.

In south Florida, an estimated 70,000 people practice Santeria. Local Piggly Wiggly supermarkets carry the little bottles Santeristas use in rituals. But when a Santeria priest bought land in Hialeah to create a large church to bring the mostly secret religion into the open, Hialeah residents and officials made clear that the religion was wildly unpopular.

In 1987, Hialeah passed ordinances barring the "sacrifice" or killing of animals "in a ritual." The city argued before the court that its reasons included public health concerns, since the animal remains of Santeria sacrifices are sometimes found in parking lots or floating in canals. It argued against cruelty to animals, since Santeria rites kill animals through a method that is not reliably efficient.

Singling out religion

Attorneys for the Santeria church argued that those concerns could be dealt with directly without banning sacrifices. Residents of Hialeah, the attorneys noted, could kill animals for sport or food. They just could not kill them for religious purposes.

The court determined that this was a singling out of religion that was clearly barred by the free exercise of religion clause of the Constitution.

The justices found the discrimination against religion so plain that even under the narrow reading of religious freedom offered in their 1990 decision, the Hialeah ordinances had to go.

Outside of Hialeah itself, the most vocal disappointment in the decision Friday was from animal rights activists, such as the American Society for the Prevention of Cruelty to Animals.

Although the justices did not have to revisit their 1990 decision to rule against Hialeah, several did anyway. Two of them, Sandra Day O'Connor and Harry Blackmun, were dissenters in that case. A third, David Souter, was not yet sitting on the court and went well out of his way to use his opinion Friday to differ with the previous decision.

In the 1990 case, Smith v. Oregon, native Americans were convicted under Oregon drug laws for smoking the drug peyote as part of their traditional religious observances. In a 5-to-4 decision, the court ruled that since the drug laws were neutral and generally applicable, and barred a religious practice only incidentally, they did not violate the Constitution. Previously, the court had held that government had to show a compelling interest in any law that disrupted the free-exercise of religion.

After Smith, even serving communion wine to minors in church could theoretically be prosecuted under drinking age laws, while practices like human sacrifice could always have been held illegal, religious or not, because of compelling state interest in protecting life.

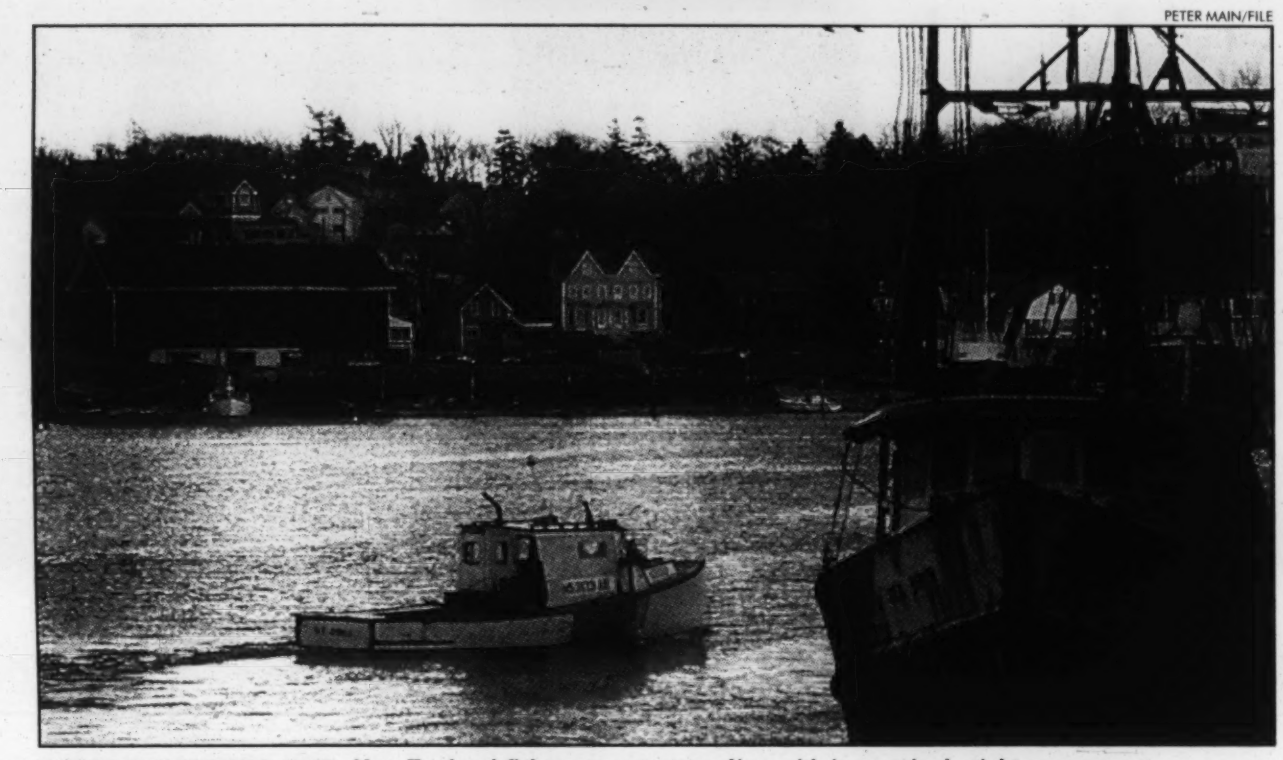
'God and government'

The Smith v. Oregon ruling instigated a bill in Congress to counter it, the Freedom of Religion Act, which recently passed the House but has not yet reached the Senate floor.

"Neutral, generally applicable laws," writes Justice Souter in his opinion Friday, "drafted as they are from the perspective of the non-adherent, have the unavoidable potential of putting the believer to a choice between God and government.... The case before us is rightly decided without resolving the existing tension, which remains for another day when it must be squarely faced."

NEW ENGLAND

PETER MAIN/FILE



HARBOR IN GLOUCESTER, MASS.: *New England fishermen are struggling with increasingly tight government regulations controlling coastal waters. Depleted fish stocks have forced these conservation measures.*

Northeast Fishermen Find It's Harder to Make Living

By Elizabeth Ross
Staff writer of The Christian Science Monitor

GALILEE, R.I.

THE crew aboard the Rhode Island trawler "Excalibur" is wasting no time unloading this day's harvest. The men work quickly as they haul off cardboard boxes filled with whiting fish packed in ice.

Prepackaging fish on the boat helps fishermen improve the quality of their product. Excalibur owner Joe Hovanesian says it is a way to make up for depleting stocks in New England waters. "Hopefully, if we get quality, then we can get away from going out and just catching anything."

Mr. Hovanesian and other fishermen are struggling to cope with increasing restrictions on fishing in New England. Over the last few years, depleted stocks have led to government-imposed conservation measures. These days, fisherman are fuming over even more regulations on catching ground fish as proposed by the New England Fishery Management Council. Ground fish include haddock, cod, flounder, and yellowtail fish. New England and Canadian fishermen catch ground fish at Georges Bank, a rich fishing area off the Northeast.

Over the past few months, the New England Fishery Management Council, a federally funded agency, has held public hearings on the proposed rules. The council hopes to draw up regulations by August. Final approval by the United States Commerce Department could take several months.

The proposed regulations would place restrictions on days fishermen can fish at sea, limit the number of new vessel permits, and make further increases in the standardized mesh size for ground-fishing nets, among other things. The hope is that the new rules will reduce the rate at which ground fish are being caught by 50 percent over five to seven years.

Conservationists, fishermen, and government regulators agree that something must be done to build up stocks. But fishermen say regulations are too strict and often poorly executed.

"THERE are just too many fishermen, too many boats, and not enough resources," says Joe Dealteris, a fisheries professor at the University of Rhode Island.

New England fishermen have also been fighting a related battle over access to Georges Bank, concerning the emergency closing this month of a 500-square portion of the bank by the National Marine Fisheries Service. The area is normally closed from February through May to protect spawning haddock, but it reopens again in June.

In response to the closure, hundreds of angry fishermen from New England ports held protests in Boston and Gloucester, Mass. Massachusetts Sens. Edward Kennedy (D) and John Kerry (D) lobbied on behalf of the fishermen.

As a result, federal officials announced Friday the reopening of the area after a meeting with fishermen at the Gloucester regional office of the National Marine Fisheries Service. Fishermen were pleased with the decision, but some are still upset about a 2,500-pound trip limit on haddock catches in the 500-square mile area of Georges Bank.

Chris Trupiano, skipper of the Gloucester-based "Stella Del Mare," says New England fishermen are competing against Canadians who do not face such strict regulations and are subsidized by their government. He says the Canadians who fish at Georges Bank sell their fish for cheaper prices in US markets. "What are we doing? We are conserving for the Canadians."

At the Gloucester meeting, Douglas Hall, assistant secretary of the National Oceanic and Atmospheric Administration, apologized for the closing of Georges Bank. Also, he announced the formation of a task force to help assist the region's industry.

Fishermen will continue to battle US and regional officials during ongoing discussions over ground-fishing restrictions. US fishery officials acknowledge that their plan will mean sacrifices, but they argue that if nothing is done, the situation will get worse.

In Rhode Island, Hovanesian says he is concerned about the proposed rules concerning mesh size. "I feel that I can go and make a living [as a fisherman] but not if the government tells me I can't."

Rhode Island Budget Hinges on Health Care

A TOP aide to Rhode Island Gov. Bruce Sundlun (D) said the governor may veto the entire state budget for fiscal 1994 if lawmakers scrap his health-care initiative called RIght Track.

The program, which would pay medical bills of pregnant women and children under age 6 in uninsured families over the poverty line who do not qualify for Medicaid, carries a estimated price tag of $3.2 million if begun Jan. 3, as Mr. Sundlun wants.

House and Senate leaders have proposed delaying RIght Track's start until July 1, 1995, the beginning of the next financial year, and diverting the $3.2 million to other programs. But Director of Administration Harry Baird said a delay could cost the state a chance to qualify for up to $2 million annually in private grants that hinge on the state improving delivery of children's services.

It's official – the Times buys the Globe

The Boston Globe is shifting hands. And in the days following, scions of the family that owned the newspaper for 121 years – and another that edited the Globe for decades – are confessing to mixed feelings about its sale to the New York Times.

"I've always felt terribly seeing the independent voice being snuffed out," said Tom Winship, who, like his father before him, was the Globe's top editor. "But, sadly, we all lost that voice about 25 years ago, not just in the newspaper business, but in all of industry."

FROM THE STATES

Officials of both the Times and the Globe said that readers would see little change as a result of the $1.1 billion sale that was announced officially on Friday. Three members of the Taylor family will remain in control of day-to-day operations for at least the next five years.

Publisher William Taylor, grandson of founder Charles Taylor, speculated that his grandfather would have approved.

But Mr. Winship, who was editor of the Globe from 1965 until 1985 and is now director of the Center for Foreign Journalists, said his father, L. L. Winship, would have had a mixed reaction.

"When it's locally owned, the community relates to real live faces who happen to be inhabitants, and vice versa," he said. "It's a very personal relationship. The Globe never was a national newspaper, and I hope it never becomes one."

Commencement commentary

American businesses must welcome women and minorities into leadership roles to better reflect the growing diversity of the work force, former Transportation Secretary Elizabeth Dole told Radcliffe College graduates Friday.

"Too often, we women allow ourselves to be intimidated into denying our instincts, whether it's a judgment of people, situations or the heart of a policy question," said Mrs. Dole, now president of the American Red Cross.

About 500 Radcliffe alumnae gave Dole a standing ovation. She received the Alumnae Association Medal as part of Harvard commencement week activities. She graduated from Radcliffe in 1960 and Harvard Law School in 1965.

Nearby in Amherst, Mass., former independent presidential candidate Ross Perot Saturday told University of Massachusetts at Amherst students that lobbyists should be given a bus ticket to Mexico and forced to work for 58¢ an hour.

"Your vote is more important than the lobbyists' money," Mr. Perot said. He opposes the North American Free Trade Agreement, which would all but eliminate trade barriers with Mexico. Perot has said the treaty will lead to more United States manufacturing jobs moving south of the border because of lower wages and looser government regulations.

– Compiled by Terri Theiss

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COVER STORY

New Orleans Rolls the Dice

As the Louisiana city builds the world's largest casino, many question gaming's long-term benefits

By Garry Boulard
Special to The Christian Science Monitor

NEW ORLEANS

WHEN the New Orleans city council in April approved construction of the Grand Palais – this city's first casino and designed to be the world's largest – gambling supporters promised that the decision would usher in an era of new prosperity and help make New Orleans a world-class city.

"This is a historic day, we have created a project we can all be proud of," said Mayor Sidney Barthelemy (D), who earlier said the city would get up to $45 million in property payments for the land used by the casino, money it can use any way it likes. Casino developer Christopher Hemmeter said the casino will probably generate $700 million a year in revenues, and Gov. Edwin Edwards (D) – perhaps the most important gambling supporter in Louisiana – said the influx of tourists, jobs, and economic development will mean good times for all: "Nobody within a 200-mile area is going to be without a job if he or she wants to work."

Although the lure of casino riches has entranced nearly everyone in a city that regards parades and parties as an art form, many here say the casino, which could be operating next year in a 400,000-square-foot French Empire-style building, will fall far short of salvation for this economically troubled city.

'WE have people here who are hurting, people without jobs and little hope of getting them, even at McDonald's," says Jim Chisom, a community and civil rights activist who spends much of his time trying to revitalize one of New Orleans's historic neighborhoods, the Treme area near the French Quarter. That section, more than 200 years old, has a majority black population.

"What happens when something big like a casino comes along is that smaller things like neighborhoods are forgotten," Mr. Chisom says, "and everyone is so excited about this big ol' casino, they've completely lost sight of the man and woman in the street, the person out there fighting to live."

For activists like Chisom, New Orleans is a sinking town, a place with a rich and almost Continental history that is declining under the weight of its own particular burdens. Statistics bear out Chisom's pessimism: For more than 30 years, the city has been losing most of its white, middle-class workers.

Median family income in New Orleans has dropped from about $23,000 in 1970 to $21,000 in 1990, while the city's poverty rate – the poverty line for a family of four is $13,000 a year – increased in the past decade from 26.4 percent to 31.6 percent, making New Orleans the third-poorest city in the United States, behind Detroit and Laredo, Texas.

In 1960, the New Orleans population was 627,525, of whom 37 percent were black. By 1990, the overall population was down to 496,938 with a 65 percent black majority.

"We can see that things are getting worse and worse in the city by the number of new faces we see in here every day," says Biaggio DiGiovanni, the assistant administrator of the Ozanam Inn, a private operation providing food and shelter for the city's homeless. "Last month we served about 29,000 meals here, and of that number more and more are going to white people, women, children, and families in their 20s. It is much more widespread than ever before."

Just as widespread is blight. The vast majority of the 8 million tourists who visit the city every year rarely venture beyond the antique and T-shirt shops of the French Quarter or the mansion-lined Uptown Street-Charles Avenue streetcar route. Surrounding these tourist landmarks are dozens of neighborhoods where crack dens reign supreme, unemployed men sit on front stoops, and vacant homes – many dating back to the pre-Civil War era – are boarded up and eventually demolished by a city fearful of their potential as drug dens.

WITH the onus of poverty also come health problems. In 1991, black infant mortality was nearly 17 for every 1,000 births here versus 8 per 1,000 in the more affluent and white suburbs of the city. Nearly 5,000 babies that year were born to unwed mothers, while more than 2,000 babies had mothers who were 19 years of age or younger. "It's all directly related to poverty," says Pat Delaune, a public-health nurse for the city. "Poverty and a lack of education are our greatest enemies here."

Many civic and political leaders trace New Orleans's woes to the collapse of the once-colossal oil and gas industry in the mid-1980s. When oil prices crashed and the number of rigs along Louisiana's Gulf coast dropped from 450 in 1982 to 150 in 1990, prosperity and good jobs also declined. Since then New Orleans has faced a series of severe budget crunches, layoffs, and a reduction in most city services.

"Without question, having the oil and gas industry go belly up hurt New Orleans more than we probably still know," says Vincent Maruggi, assistant director of the University of New Orleans (UNO) division of business and economic research. "There aren't too many other cities in the US that have gone through the kind of economic depression that we have. I've seen one study showing that we lost up to 30,000 jobs. No matter how you look at numbers like that, it's a devastating loss."

See **CASINO** *next page*

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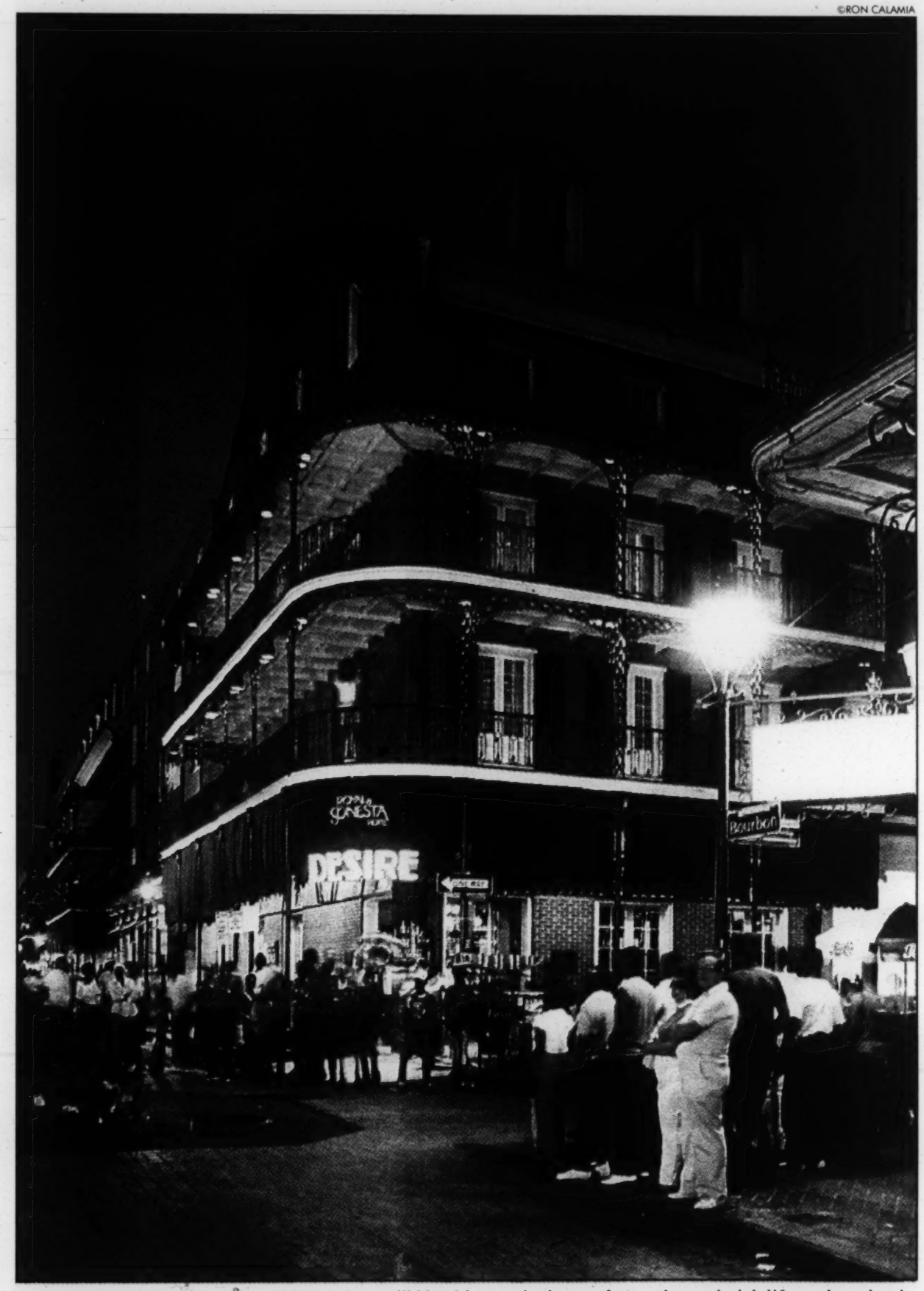

BOURBON STREET: *The planned gambling palace will blend into a city known for revelry and nightlife, such as that in and around this street's jazz clubs; but many assert that gaming revenues will do little for the city's real problems.*

For Many in the 'City That Care Forgot,' Cares Aplenty Still Abound

CASINO from page 9

COVER STORY

Some observers chart the decline of New Orleans to a far earlier time. "You can make the argument that the 1850s was one of the last great decades for this city," says Terrence Fitzmorris, an adjunct professor of history at Tulane University. "That was the last era of prosperity before the devastation of the Civil War, when cotton was king and Louisiana had the highest per capita wealth in the nation."

Historically, Professor Fitzmorris continues, life has always been a challenge in New Orleans, and the continuation of that challenge leads easily to the city's much celebrated ability to feast and fest, as seen in its slogan: The City That Care Forgot. "The people who moved here moved to a place in the midst of a fetid swamp, a city overrun with yellow fever, tuberculosis, unclean water, and corrupt politics," Fitzmorris says. "It all tended to make people somewhat fatalistic."

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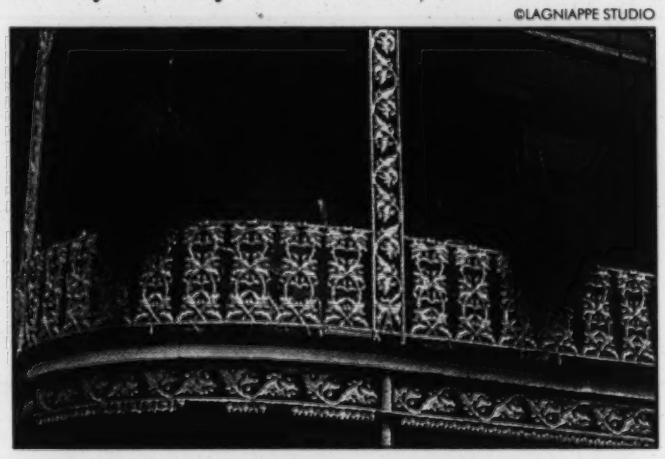

GRILLWORK: *Delicate wrought-iron decoration such as on this balcony recalls New Orlean's history as an almost Continental city; in other ways, too, it charts its own course.*

It has also tended to make people celebrate in the face of their greatest adversities, a trait that commerce-oriented visitors from other places frequently find bewildering. When the 1984 New Orleans World's Fair lost more than $120 million, outsiders were shocked by the sometimes blatant peculiarities leading to the fair's bust – such as the disappearance of state funds intended for the fair. New Orleanians, though, fretted more about the fate of the Gondola, an elaborate steel contraption that allowed riders to travel, high in the sky, back and forth across the Mississippi River.

When Governor Edwards twice faced trials for criminal racketeering in the mid-1980s (in each case he was acquitted), less effort was put into a campaign to recall the chief executive than was expended on an elaborate Mardi Gras float, with an Edwards mannequin bedecked in prison garb and carnival beads, made in his honor.

The city's penchant for celebration is also seen in the revenues it generates when it has fun. Mardi Gras brings in more than $27 million annually, while the constantly expanding New Orleans Jazz and Heritage Festival, held for two consecutive weekends every spring, is worth another $10 million.

These events work for New Orleans, says Jason Patterson, the executive director of the Louisiana Jazz Federation, because they utilize the things New Orleanians do best: making music and having fun. Noting a recent study that valued the local music industry at up to $1 billion, Mr. Patterson continues: "When we talk about the music industry in New Orleans, we're talking about street-level music, neighborhood clubs, festivals, recording studios, and even publishing houses, all of which have been on the increase in the past couple of years."

This "infrastructure of an industry," as Patterson calls it, has also enabled thousands of musicians to ply their trade in New Orleans in both high-paying tourist traps and ramshackle neighborhood joints where they play principally for tips. "It has a long way to go," Patterson adds, "but musically things are better now in New Orleans than anything I've seen in probably the last 20 years.... You have jazz clubs, rock, blues, and world-beat clubs featuring music like reggae, and ethnic music clubs. There's been a real flowering of the industry."

New Orleans's reputation as the literary mecca that gave sustenance and inspiration to writers like Tennessee Williams, Truman Capote, and John Kennedy Toole also continues to attract real and would-be writers to the city. Literary festivals, university seminars, and small coffeehouses that sponsor writers' forums and poetry readings only add to New Orleans's allure.

"It's a city that is very conducive to being creative," says Aaron Walker, a 22-year-old writer who moved to New Orleans from Virginia. "There's a great deal of individuality here, everyone has their own walk.... Tomes ... can be written about this place, and that's an attraction that's irresistible to a creative person." To survive until he makes money from his writing, Mr. Walker works as a waiter in the French Quarter.

In addition, throughout the city are young people, particularly African-Americans in New Orleans's public-housing projects, creating visual arts that often end up in some of the city's finest galleries. But whether such creativity, no matter what form it takes, can usher in a new era for the city, removed from reliance on oil and gas profits, remains to be seen.

Some economists believe the only way New Orleans will ever see a return to its former prosperity is through economic diversification. "The slack has to be picked up somewhere, and more and more we're seeing it with tourism and the entertainment industry," says Mr. Maruggi of UNO. "The jobs that we've lost have all been in the older industries like shipbuilding and oil and gas. Tourism is our one real growth area, which I suppose is the biggest argument in favor of the casino.'

But Ms. Delaune, the public-health nurse, who daily

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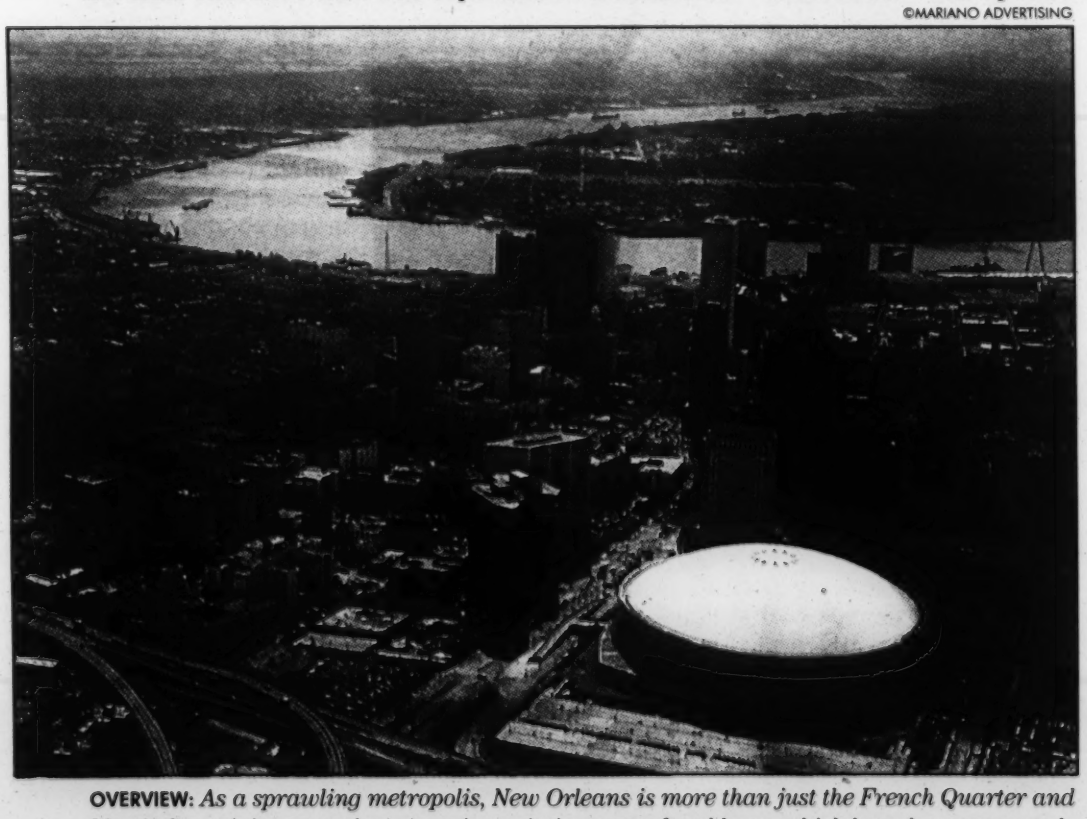


OVERVIEW: *As a sprawling metropolis, New Orleans is more than just the French Quarter and Mardi Gras; it has a modern American city's array of problems, which have been worsened by economic downturn – especially the collapse of the oil industry.*

ALL THAT JAZZ: *Dixieland, like the music coming from these brass p New Orleans air at all times of the day and night; the city is a me*

©MICHAEL TERRANOVA

brass players in the French Quarter's Jackson Square, fills the is a mecca for musicians as well as other artists and writers.

eli- sees the ravages of the ill-nourished children, unwed mothers, and young girls having babies, says that only ans the people of New Orleans can save their city. "No one ugh great thing will do it for us, and we need to stop think- up ing that way. We have to all pull together and take con- vith trol of our lives again."

Mr. Noting that medical and housing needs in New een Orleans's inner city might surpass those of a large third- gas. world city, Delaune adds: "Despite all of the things I see, e is I still refuse to believe it's hopeless. We're a city and a people who have been through every disaster imagin- aily able, and we're still here struggling on."

Name of the Game Is Gaming

Louisiana has a long history of legal – and illegal – gambling enterprises

NEW ORLEANS

GAMBLING in Louisiana is neither unprecedented nor a cure-all, according to those who study gaming. In fact, the decision ushering in the construction of the Grand Palais casino at the foot of Canal Street is only the most recent chapter in more than a century of legal and illegal gambling in this state.

As long ago as the 1870s, the Louisiana Lottery Company held a monopoly on numbers betting within the state and hired as its principal spokesman famed Civil War hero Gen. P. T. Beauregard. Good-government reformers, though, upset over the lottery syndicate's penchant for bribing state legislators, finally won the statehouse in 1892. At the same time, the federal government announced that it would no longer allow the syndicate to use the United States mails – a devastating blow, because most of the lottery tickets were sold out of state. Within two years, lottery officials closed down their Louisiana operations and transferred the game to Honduras.

Historians have documented that small gambling houses – although officially illegal – remained in operation throughout Louisiana in the decades that followed. But it wasn't until the famous Louisiana governor "Kingfish" Huey Long allowed crime boss Frank Costello to transfer his slot machines and casino operations to southern Louisiana in 1934 that gambling became widespread again. Within just a year, mob forces installed more than 1,000 "one-armed bandits" in New Orleans, opened numerous casinos in the neighboring parishes of Jefferson and St. Bernard, and took control of an extensive statewide bookie system.

Nearly every biography of Mr. Long and his brother, Earl – who served three times as governor – mentions their gambling connections. In addition, Federal Bureau of Investigation files obtained through the Freedom of Information Act in recent years show that the Longs agreed to let syndicate gambling operate without interference in return for regular mob payoffs reaching millions of dollars. In 1958, FBI chief J. Edgar Hoover wrote in an internal communication: "Gambling and vice rampant in Louisiana...."

Beginning in 1946, however, a reformist city government in New Orleans pushed most forms of gambling out of the city. Nonetheless, at the same time, perhaps the most luxurious casino of them all, the Beverly Country Club, opened its doors across the Mississippi River; it boasted of lavish gaming tables and entertainment provided by such stars as Jimmy Durante, Zsa Zsa Gabor, and Sophie Tucker – all at a time when gambling was still officially prohibited in Louisiana.

Casinos and slot machines remained popular in the state until the 1970s, although numerous federal and state officials began to step up their anti-vice efforts in that same decade. But in 1990, Louisiana set up its first statewide lottery since the Louisiana lottery experience of the 1800s, and the following year the legislature approved gambling for riverboats along the Mississippi River.

The most controversial gambling move, however, has come with state and city approval of a single land-based casino in New Orleans, a casino that gaming supporters predict will create up to 20,000 jobs and bring in at least $500 million in new and needed investment to the city.

The Grand Palais casino, as proposed by Hawaiian developer Christopher Hemmeter, will include 200,000 square feet of casino space in a $280 million facsimile of Paris's Grand Palais.

Under the terms of Mr. Hemmeter's contract with the city, the Grand Palais will pay $30 million in the next several months for signing a 30-year lease, in addition to another $8.7 million when construction begins, $2 million for street and traffic-signal work, and an annual $2 million to the Orleans Parish School Board for school-building repairs.

Although casino officials have declined to commit themselves to the 20,000 job figure, they have promised that 80 percent of all casino jobs will go to residents of New Orleans – 45 to 55 percent to minorities and 25 to 35 percent to women.

Gov. Edwin Edwards, meanwhile, has said that casino jobs will pay an average of $20,000 per year, while the city stands to make $75 million annually from the collection of sales, liquor, cigarette, and hotel and motel taxes.

"When you get right down to it, no one really know what's going to happen," says Vincent Maruggi, assistant director of the University of New Orleans division of business and economic research. "There's no guarantee that they are going to hire all of the people they say they will or that the casino will attract as many people as everyone hopes it will. We don't even know, if the casino turns out to be successful, if it will offset all of the other losses New Orleans has experienced in the past couple of years. This is new terrain for all of us, and nothing is certain."

Nothing except Mr. Edwards's belief that the casino will prove to be the shining glory of his already legendary career as Louisiana's governor.

"I really think he sees it as one of his greatest accomplishments," says John Maginnis, the editor of the Louisiana Political Review and author of two books on Edwards. "He thinks that ultimately it will turn out to be a great boon to development and prosperity, and that even his most serious detractors will eventually have to admit he was right."

– Garry Boulard

©NEW ORLEANS PADDLEWHEELS

STERNWHEELER: *Tourists relax on the Creole Queen – a modern descendant of the vessels on which Mississippi riverboat gamblers floated into New Orleans since before the Civil War.*

JUSTICE

In Russia, Jury Still Out on Trial by Jury

By Justin Burke
Staff writer of The Christian Science Monitor

MOSCOW

IN the days of Soviet totalitarianism, the judicial system here had trouble differentiating the accused from the guilty.

The conviction rate was more than 90 percent, with a political motive behind many guilty verdicts. The system was known as "telephone justice," because people said Communist Party bosses decided cases by phoning instructions to compliant judges.

Not surprisingly, the judicial system today is viewed with suspicion. Building popular trust in the system is a key to Russia's successful transformation into a market-based democracy, say reformers, who add that the only way to accomplish this is by involving people in the process.

"Our courts are the remnants of the mechanism of suppression that began in 1917. We can change the system by reintroducing jury trials," says Sergei Pashin, head of the Judicial Reforms Department of the State Legal Agency. "But a new thing can only work when it's organic. People must assume responsibility themselves."

So far, however, the proposed revival of jury trials has run into several obstacles, including the Russian parliament. The legislature in early May voted down legislation on reintroducing jury trials on a limited basis.

Parliament Speaker Ruslan Khasbulatov says the bill was rejected for "technical" reasons. "There is no need to politicize this issue, saying 'Aha! if you [parliament] haven't adopted this issue, then you are reactionaries,' " Mr. Khasbulatov told journalists recently.

The biggest opponent of jury trials is the procurator general's office, because it stands to lose the most if the reform is introduced, legal expert Alexander Yakovlev says. Currently, the procuracy, or prosecutor's office, is an independent government agency that exerts substantial influence over the judicial system. It controls the pre-trial investigation process and can initiate reviews of sentences, even ordering retrials, Mr. Yakovlev says.

"The procuracy was the strong arm of the regime, used to keep the courts in line," he says. "It will lose much of its authority if jury trials are introduced."

Yakovlev says lobbying in parliament by Procurator General Valentin Stepankov was a big factor in the defeat of the jury-trial legislation, but he adds, "the battle will continue." Mr. Stepankov argues that jury trials will cost the state too much.

Jury trials in Russia were introduced in 1864 by Czar Alexander II but were abolished by the Bolsheviks after their 1917 takeover. Under the current system, largely unchanged from the Soviet era, a judge and two civilians, called people's assessors, are arbiters. But in nearly every case, the people's assessors follow the judges' lead, legal experts say.

Before defeat in parliament, Mr. Pashin hoped the legislation to establish 12-member jury trials would make a comeback. Now everything is up in the air.

According to the proposed legislation written by Pashin, jury trials would initially take place in five Russian regions – Moscow, Ivanovo, Ryazan, Saratov, and Stavropol – where the reform measure has the full backing of the local leadership. Currently, a select group of judges are being trained to work with juries.

It looks good on paper, Pashin says, but turning it into reality is far from assured. With Russia buffeted by economic collapse and political conflict, legal reforms haven't always turned out as intended. Pashin points to the creation of the Constitutional Court, and its subsequent attempts to mediate the political power struggle in Moscow, as an example of plans going awry.

"The Constitutional Court has begun getting involved in politics, and that was never intended," says Pashin, who helped draft the legislation that brought the court into being.

The idea of jury trials is opposed by conservative elements of society, including some judges who fear that reform will erode their authority, Pashin and others say. Publicly, opponents contend that juries would clog up the courts.

To prevent a backlog, only the most serious cases – those that carry a possible sentence of more than 10 years upon conviction, such as murder – would be heard by juries in the beginning, officials say.

Reform-related costs – such as renovation of courtrooms to accommodate juries – are expected to reach 1.5 billion rubles, but it is not clear whether the government can afford such large expenditures.

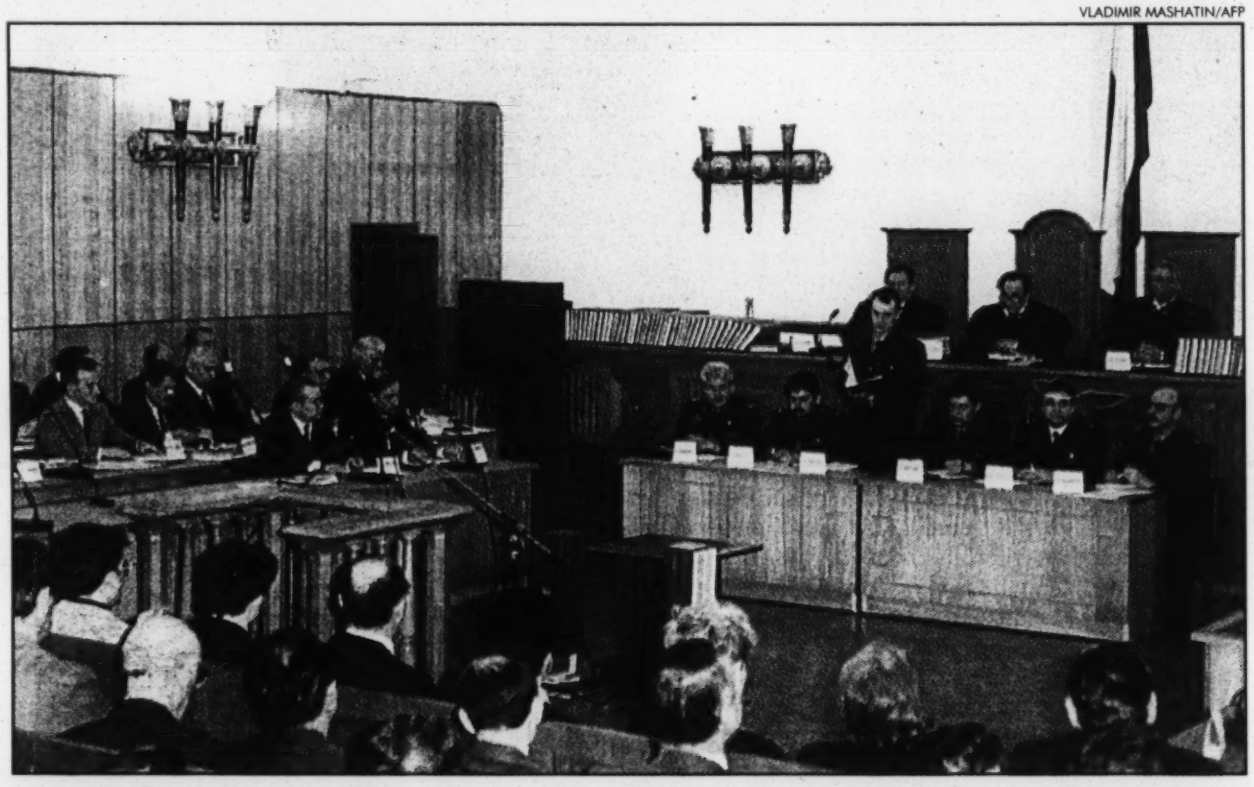
Perhaps the biggest obstacle is finding enough people willing to sit on juries. Currently, there is a serious problem with absenteeism among people's assessors, says Sergei Romazin, chief of the Justice Ministry's Legal Reform Section. "People just aren't showing up," he adds, "and the paperwork is piling up."

To give people an incentive to serve, jurors would receive a salary approximately two-thirds that of a judge, or about 800 rubles (about $1.15) a day, under the reform plan. Potential jurors would be culled from voter registration lists.

If the obstacles are overcome, the potential benefits for Russian society are enormous, says Matthew Mosner, a Moscow-based representative of the American Bar Association, which is advising the Russian government on legal reforms. "It's all interconnected," Mr. Mosner says, referring to the nation's "war on crime" and judicial reforms.

"If you can create a sense of civic duty and make people believe in the court system, then maybe people will start obeying the law," he adds.

VLADIMIR MASHATIN/AFP



COUP TRIAL: *Prosecution of the 1991 coup leaders hit a wall when the Russian high court dismissed the prosecution team for alleged bias. Judicial reformers argue that the high-profile trial could be a showcase for trial by jury.*

A Setback in the Prosecution of the 1991 Coup Leaders

MOSCOW

A RULING by Russia's high court upholding the dismissal of the prosecution team in the treason trial of the August 1991 coup leaders in the former Soviet Union underscores the need for radical judicial reform, some legal experts say.

The coup trial was postponed indefinitely after the Military Collegium of the Russian Supreme Court, which is hearing the case, granted a defense motion in mid-May to dismiss all nine members of the prosecution team on grounds of prejudice. The court instructed the Supreme Soviet, or parliament, to appoint new, supposedly unbiased prosecutors.

The defendants – including former Soviet Vice President Gennady Yanayev, former Defense Minister Dmitry Yazov, and former KGB boss Vladimir Kryuchkov – argued that the book "The Kremlin Conspiracy," by Procurator General Valentin Stepankov and his deputy, Yevgeny Lisov, tainted the entire procurator general's office and excluded the possibility of a fair trial.

The book describes the accused men as "criminals." The defendants defend their failed attempt to oust former Soviet President Mikhail Gorbachev, saying they were trying to prevent disintegration of the USSR.

Some legal experts call the court ruling a disaster for judicial-reform efforts in Russia.

"The decision by the Military Collegium raises more questions than it answers," says Alexander Yakovlev, a scholar at the Russian Academy of Science's Institute of State and Law. "It would have been a gain for the rule of law if the military court had removed itself from the case, especially because it involves a former defense minister," he says. "Instead, because the court has involved the parliament, the decision has confused the division of powers between the legislative and judicial branches."

Mr. Yakovlev, among other legal specialists, condemned Mr. Stepankov for publishing the book, calling it a political move that was "unethical and perhaps unlawful." But it is a mistake to assume that Stepankov's ill-considered action means that all of his subordinates are incapable of objectively prosecuting the coup case, he says. "Such an opinion presumes so-called collective guilt, which is outmoded."

Forming a new prosecution team won't be easy, because the ruling theoretically excludes anyone in the procuracy, observers say. Pressure has mounted for Stepankov's resignation, which could pave the way for the trial's resumption.

But the prosecutor general hasn't given any indication that he will quit, defending his publication of "The Kremlin Conspiracy" as a "moral obligation."

Yakovlev suggests that another way out would be for parliament to authorize a jury to hear the coup trial. "This is the perfect opportunity for a jury trial in order to realize the constitutional right of all defendants to a fair trial," he says.

– J. B.

Did Lani Guinier Really Mean It?

LANI GUINIER, President Clinton's first choice to head the Justice Department's civil rights division, wrote herself out of the job.

After the University of Pennsylvania law professor's writings about the Voting Rights Act ignited a firestorm of controversy, the president himself read the dense articles. Stating that Ms. Guinier's radical proposals to redress political inequality for minorities were inconsistent with his own views, Clinton withdrew the nomination.

The Guinier episode, like President Reagan's unsuccessful nomination of Robert Bork to the Supreme Court in 1987, raises questions about the interplay of law, scholarship, and politics:

■ Should legal scholars under consideration for a government post be held strictly accountable for their academic writings – or does this chill scholars' academic freedom to push the theoretical envelope, to test speculative hypotheses, or intellectually to play devil's advocate?

■ Can scholarly writings on complex legal subjects – often intended for a sophisticated, specialized audience – be summarized accurately and fairly in newspaper op-ed articles or TV sound bites?

■ Can a legal scholar nominated for office distance himself or herself, with intellectual integrity, from controversial writings – either saying he has revised his opinions or else insisting that, as a good lawyer, he will subordinate his personal views to established legal precepts?

Legal scholars seem to be virtually unanimous in their view that academics can and should be held accountable for what they write. "Legal writings should never be simply playful or trivial," says federal appeals Judge Richard Posner, who writes frequently for legal journals. "If you don't believe it, you shouldn't write it," echoes Prof. Mark Tushnet, a Critical Legal Studies scholar at Georgetown Law School in Washington.

THE LAW

Many academics comment, however, that the accountability process is fraught with the risk – especially in a confirmation proceeding – that complex legal analysis will be misrepresented and even caricatured by journalists, advocacy groups, and lawmakers. Yet Harvard Law School Prof. Laurence Tribe is not overly sympathetic with any scholar's claim that his words were twisted: "Writing clearly enough to avoid caricature is part of being accountable," he says.

Legal observers generally say that, if given a chance to defend his views publicly (as Guinier was not), a scholar occasionally can put some daylight between himself and his words, but it must be done honestly. "You can't say, 'I was just playing with ideas,' " comments Prof. Mary Ann Glendon of Harvard Law School. Some opponents of Judge Bork chide him for "running away from his writings," in Professor Tribe's phrase; but supporters of Bork insist that the only views he partly disavowed in his confirmation hearings had been written 20 years earlier.

(However they feel about Guinier's views, most scholars praise her steadfastness to them, even in the face of white-hot criticism.)

A nominee with controversial views can argue that, if confirmed, he will follow the law as it exists and not his personal beliefs, scholars say. "Good lawyers and judges do that all the time," Professor Glendon notes. But observers also point out that almost all officeholders – especially executive-branch appointees but judges as well – have a lot of discretionary authority, and that the "good lawyer" defense offers little guidance about how a nominee will exercise discretion. For that, lawmakers may properly consider the nominee's expressed views.

Whether or not they sided with Lani Guinier, whether they think she was treated fairly in being denied a public hearing, scholars agree that, in principle, there was nothing wrong in "Borking" Guinier by subjecting her writings to tough scrutiny.

So future nominees for legal or judicial positions should understand that, in their scholarship, they will be held to the standard set by Horton, the Dr. Seuss elephant: "I meant what I said and I said what I meant."

– James H. Andrews

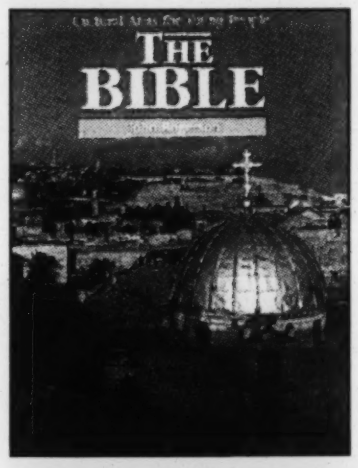
BOOKS IN BRIEF

TOOLS FOR BIBLE RESEARCH

AFTER JESUS: THE TRIUMPH OF CHRISTIANITY, *edited by Gayla Visalli (The Reader's Digest Association Inc., 352 pp., $30).* Don't be fooled by the publisher's name: This is not an abridged book but an extensively researched and competently written history of Christianity from the Resurrection to about AD 600.

Complete with illustrations of historic artworks, churches, and photographs by the hundreds, this readable volume is for the nonspecialist who wants a better understanding of how the Christian churches evolved from the first communities in Palestine and Asia Minor to today.

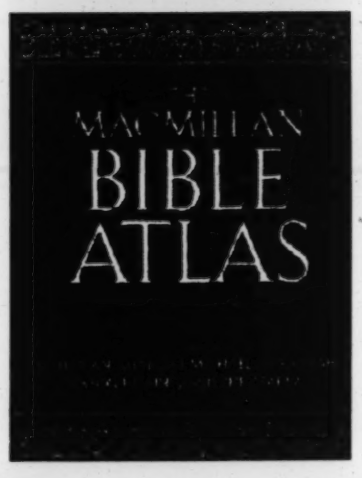
Protestant, Roman Catholic, Eastern Orthodox Christians, and others will be comfortable with the text, which takes no particular theological position, but explains the positions of all sides in the controversies that began to divide the church from the 3rd century onward.

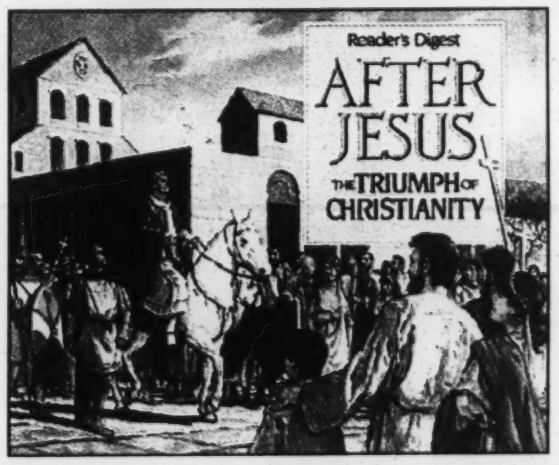


The text is helpful in bringing out the theological diversity that existed in the early church before it achieved legal status. Given the severe persecution of Christians by the Romans before Constantine officially recognized the church, the speed with which some Christians began using state power to persecute other Christians is particularly ironic.

The book also brings out clearly the political maneuvering behind many of the early theological disputes, as bishops allied with emperors and proconsuls in a pattern that was later copied in the Reformation and Counter-reformation.

"After Jesus" also sheds light on the peaceful coexistence of Jews and early Christians, who often kept their ties to local synagogues, until they were separated by tensions wrought during the Roman suppression of the Jewish revolts of AD 67 to 70 and AD 133 to 135, and by the increasing number of Gentile Christians. This led to a loss of the protection the early church enjoyed when it was considered a sect of Judaism, which had legal status in the Roman Empire.





Brief articles accompanying the main text take a look at related cultural, political, and historic material and relate the stories of many of the church's early martyrs.

The book contains a list of key people, a glossary, a list of Bible citations, and a bibliography.

Unfortunately, the artistic mastery displayed in the historical paintings, mosaics, and sculptures reproduced in the book puts the contemporary illustrations to shame. Even so, "After Jesus" is an engrossing volume that whets the readers appetite to learn more.

THE MACMILLAN BIBLE ATLAS, COMPLETELY REVISED THIRD EDITION, *by Yohanan Aharoni, Michael Avi-Yonah, Anson F. Rainey, and Ze'ev Safrai (Macmillan, 215 pp., $35).* Anson Rainey and Ze'ev Safrai have updated the original 1968 and 1977 atlases by the late Yohanan Aharoni and Michael Avi-Yonah to incorporate the most recent archaeological finds. The result is a broad mapping of events ranging from before Abraham to the Bar-Kokhba revolt in AD 133 to 135 and the spread of the Christian church in the 2nd century.

Written in a style acceptable to most Jews and Christians, the atlas helps the Bible student to better understand the possible routes of the Exodus; David's wanderings as he was pursued by Saul; the venues of Elijah's and Elisha's activities; the periods of Greek and Roman domination of Palestine in the days preceding Jesus' birth; and the strategy the Romans used to put down the two Jewish revolts.

In addition to the maps, short commentaries help the reader place the events in context. The illustrations are also helpful, although one wishes the publishers had made full use of color. Some pictures look like photocopies of photographs.

In this respect, the book falls short of other Bible atlases currently available. Biblical and other references from historic writings are included with each map. A complete chronological table and a full list of the Bible references add to the book's utility.

THE BIBLE: CULTURAL ATLAS FOR YOUNG PEOPLE, *by John Rogerson (Facts On File, 96 pp., $17.95).* The latest in Facts On File's Cultural Atlas for Young People series, this beautifully illustrated volume is aimed at "young adults," but their parents and other adults will also find it useful.

Divided into two parts, "The History of Bible Lands" and "The Geography of Bible Lands," the book covers the period from the Patriarchs to Paul. Each two-page spread is self-contained, with a short text, maps, photos, and a chronology, all presented in a way gauged to hold young attention spans.

Part 2 contains an outstanding geography of the Holy Land and Jerusalem, complete with explanations of the area's changing ecology over the millennia. The writing ranges from fairly complicated in some places to a tad simplistic in others, but this does not detract from the volume's usefulness.

ROGET'S THESAURUS OF THE BIBLE, *by A. Colin Day (Harper-SanFrancisco, 927 pp., $28, thumb-indexed, $30).* Here is an interesting alternative to the traditional concordance for serious Bible students. Applying Roget's system to the Scriptures, A. Colin Day has grouped more than 43,000 references by categories rather than simply by word. Thus the student looking for references on vision, sight, eyes, and seeing will find them all grouped together under the category "vision," rather than having to look up each word separately.

Users will also benefit from the book's index of Bible references and subject index. Day's use of paraphrase instead of quotation from the Bible makes the thesaurus useful with most English-language Bible translations, from the King James Version to the New International Version.

Some citations reflect a traditional Trinitarian Christian interpretation, but this does not detract from the general usefulness of the volume.

– Lawrence J. Goodrich

SOMALIA from page 1

tion's first use of US military power. American gunships 1riddled Aideed's weapons storage areas and appear to have destroyed much of his firepower.

"This by any measure is a very significant military setback for Aideed," said the senior Pentagon official at a briefing for reporters held over the weekend.

The message is that despite the welcome-home ceremony for the military already held by President Clinton, US forces are still committed to Somalia for the long haul. The end of that road remains unclear, especially since Somalia remains awash in weapons despite those hit by US Spectre aircraft.

"This is just one event in this peace stability process," said the senior Pentagon official. "The intent is to allow the food deliveries to continue, to allow Somalia as a nation to kind of come together."

Earlier this spring Somali factions did tentatively agree to establish a Transitional National Council to run the country pending establishment of a permanent government. But details of council membership and representation remain vague – as does the timetable for its implementation.

Meanwhile the UN peacekeeping force has found it difficult to follow in the footsteps of the heavily armed and well-trained 30,000 US troops that brought calm to many areas over the winter. Only about 3,000 US troops remain, including a quick reaction force designed to provide some teeth for the UN.

The tragic ambush in which 23 Pakistanis were killed demonstrates the vulnerability of lightly armed patrols in the unstable Somali situation. But the reaction of Pakistani troops appears to have had equally tragic consequences. They opened fire on a crowd of demonstrators in Mogadishu on June 13, killing at least nine, including a child.

NELSON/AFP

GENERAL AIDEED: *The UN military response is seen as a setback for the Somali warlord, He is blamed for attacks on Pakistani peacekeepers.*

Outside of areas where the UN has established regular patrols and military control, there is now no more order in the country than before US troops first arrived, according to a British journalist writing in the current issue of Foreign Policy magazine.

The disarming of Somalis has to this point been selective, and aid workers remain easy targets for bandits. "Somali's troubles are far from over," gloomily writes the Nairobi-based Jonathan Stevenson.

As of this writing, US-led attacks against Aideed had destroyed a radio station under his control that had continually denounced the UN, a cigarette factory used as a troops and weapons assembly area, and several weapons depots where his "technicals" – trucks with machine guns – and other heavy gear had been stored, per agreement with the UN.

Under the deals struck earlier, the US and the UN had agreed not to confiscate the warlord's weapons under condition that they not be used. Similar arrangements have been made with other Somali warlords.

The attack against the Pakistanis last week came as they were in the process of proceeding to take inventory at Aideed's agreed-upon weapons depots. According to the Pentagon, this count found significant numbers of weapons missing, including 20 technicals. Presumably they had been surreptitiously withdrawn for use against UN troops.

The AC-130 gunships flown from the US to retaliate are one of the US military's weapons of choice for sustained fire against ground targets that are largely devoid of anti-aircraft protection. They carry a 105mm howitzer with 100 rounds – an airborne tank gun, in essence – as well as 4,000 rounds of 40mm and 20,000 rounds of 20mm ammunition. The Pentagon says it took pains to try and limit collateral damage by the gunships.

Peaceful Leaders, Not Warlords, Are Needed

NAIROBI, KENYA

THE weekend's attacks on the strongholds of Somalia's most belligerent warlord, Gen. Mohamed Farah Aideed, should be followed up with the arrest of General Aideed and all the other Somali warlords, according to key Somali and Western analysts. Such arrests, plus disarmament of their forces, could open the way for more legitimate Somali leaders, ones more inclined to peace than war, these analysts say.

"If in the next month they [United Nations forces] do arrest some, or a group of the warlords, it's bound to open up the political area," a US official with long experience in Somalia said yesterday. "There may be some reactions to the arrests [but] in the long run, it's constructive."

Bob Koepp of the relief agency Lutheran World Federation warns that "massive attacks ... [by the US and UN] against some people will only lead to further bloodshed and set back for a long time any progress toward reconciliation."

The US-led attacks mark the end of six months of trying to negotiate with Aideed. When US-led troops first arrived last December, "we had to deal with those who wielded the power," Col. Serge Labbe, head of Canadian forces in Somalia, said Saturday night from Mogadishu. Now, he added, "Times have changed."

"Perhaps the [warlords] we were dealing with all along have no intention of putting the country back on course," Col. Labbe said. "Aideed has now openly gone down the road of violence."

Somalis from factions other than Aideed's, contacted in Nairobi, welcomed the attacks, saying all the warlords should be arrested and their forces disarmed in order to restore peace.

"I think the UN is finally beginning to realize you can't do business with warlords," says Hassan Ali Mirreh, a co-founder of one of Somalia's key political parties, the Somali Salvation Democratic Front (SSDF). "A group of us within the SSDF maintain that all the warlords – even ours – should be tried for war crimes," he said.

Somalia's current military factional leaders have repressed the views of civilian elders and others who are more inclined toward peace, claims Said Samatar, a Somali professor of African history at New Jersey's Rutgers University.

"These so-called warlords are not legitimate clan leaders," he said in a telephone interview. "Provided the legitimate leadership is given [UN] protection, they would be able to exert their influence for peace." In the towns of Baidoa and Belet Uen, for example, where warlords have been checked by UN troops, civilian leadership has begun to take hold.

– Robert M. Press

CLINTON from page 1

ways, Clinton has had astonishing success."

In other ways, Clinton is still stumbling. The latest bump comes over his apparent top choice for the Supreme Court, Judge Stephen Breyer. Clinton was on the verge of nominating him when it became known that Judge Breyer had violated a federal law requiring him to pay Social Security taxes for a maid.

Clinton's success in Congress must also be qualified. The White House's liaison to Congress, Howard Paster, admits that some of the legislation that has passed Congress was a "slam dunk," such as the Family Leave Act. The bill had passed Congress under Mr. Bush, but he vetoed it.

Legislation designed to boost voter registration, called "motor voter," falls into the same category. Clinton has also passed his budget resolution, extension of unemployment benefits, and reauthorization of the National Institutes of Health.

His most important success was the close-shave victory in the House to pass his budget, but that one carries a price: In working to pass the budget in the Senate, he has abandoned the controversial Btu energy tax, angering the House members who went out on a limb and voted for a budget that included the tax.

Clinton, of course, has stumbled spectacularly in the first one-twelfth of his term and has record-low public-approval ratings to show for it. His blunders – the failure to end the stimulus-bill filibuster, bungled nominations of Zoë Baird and Lani Guinier for Justice Department positions, and public-relations missteps over a haircut and the White House travel office – dominated media coverage for days on end and have come to symbolize the early going of Clinton's presidency. He has also been bombarded with headlines such as "Failed Presidency" (Washington Post) and "The Incredible Shrinking President" (Time magazine).

But it has not been that long since the Washington press corps was singing the chief executive's praises. On March 26, a front-page analysis in the Washington Post asked if Clinton's early successes were "beginner's luck or president's prowess." Republican strategist Ed Rollins was quoted as calling Clinton "as formidable a political figure as I've seen in my lifetime."

Now Mr. Rollins says: "I feel he's wasted a great talent. He understands politics and can communicate with voters, but he appears to have no center, no convictions.... He does have 3 1/2 years left, but the problem is that the first impression is often a lasting impression."

'He does have 3 1/2 years left, but the problem is that the first impression is often a lasting impression.'

– Ed Rollins

Rollins adds that Clinton made a mistake by trying to go around the White House press corps and take his message to the people through town meetings and interviews with local TV reporters. But specialists on presidential politics agree that the press has gone overboard in dumping on him. "The media notion that the presidency is over is absurd on its face, especially coming from people who, during the campaign, declared Bill Clinton dead and buried," Mr. Ornstein says.

Public-relations blunders aside, Clinton is at core "a very astute politician," says George Edwards III, a presidential expert at Texas A & M University. True, he has backtracked and compromised on issues, but he has remained "true to his concerns" – cutting the budget deficit and fixing the nation's health-care system, Dr. Edwards says.

Even though Clinton has gained a reputation in the corridors of Congress for being easy to "roll" – easy to squeeze concessions out of – "We have to look at the big picture," he says. "Are we going to have deficit reduction? That's the central issue right now. And it looks like he hasn't given up on that."

Clinton has other things going for him, Ornstein says. He is an active president, engaging issues, unlike his predecessor. He has "significant learning ability." In his handling of swing votes in the Senate on his budget, he has shown that he learned lessons from the failure of his stimulus bill. He also, Ornstein says, "clearly has an enormous capacity for rhetoric," as demonstrated in his Feb. 17 State of the Union speech.

"Clinton is trying to pass one of the highest tax increases in modern times; no one ever said that would be easy," says James Thurber, an American University professor. "Two or three years from now, this period will be looked back upon as a time of reform." The cure for what ails Clinton is to score more big wins in Congress, pundits say. Then the press will likely love him again. "There's one thing you have to remember about Washington," Dr. Thurber says. "The fat lady never sings."

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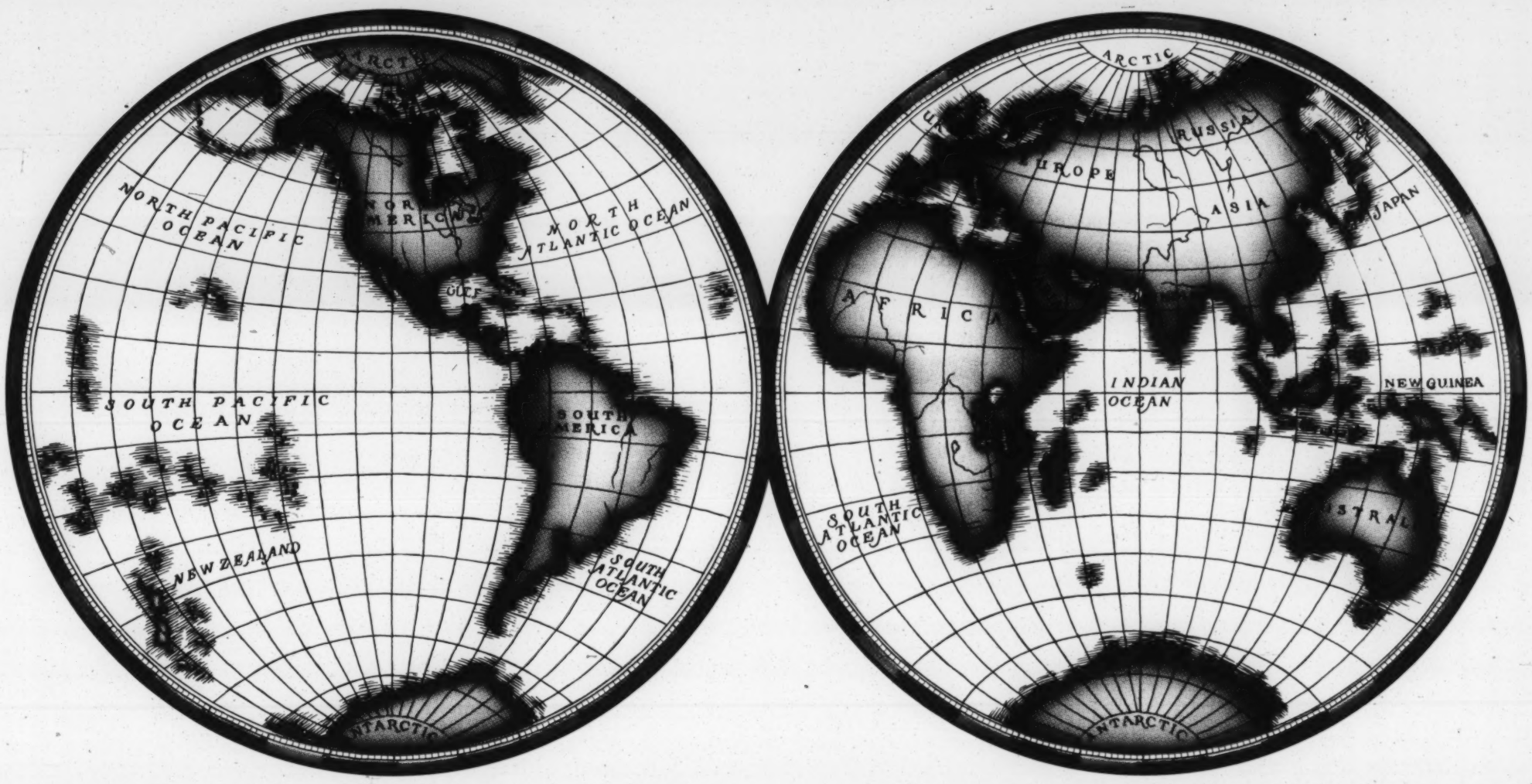

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Artistic Collaborators of Different Eras

THERE was about an 18 years difference between their dates of birth. Yet they belonged to different eras in the history of painting. Their names are conjoined, because they collaborated on a set of frescoes. These were designed and painted for the Brancacci Chapel of Sta Maria del Carmine in Florence, Italy. The high reputation of Masaccio, the younger of these two artists (1401-28), largely rests on the Brancacci frescoes – or on those parts of them he painted. His career was short, and only a few other of his works survive. But they are powerful and exceptional enough for him to be considered one of the more profound originators in art.

The older artist, Masolino, who was also the longer lived (1383-or 1384-1440) has the misfortune of being in his collaborator's shadow from posterity's point of view. However generous historians may feel toward Masolino, they can't help making him a point of comparison, even a measure by which to explain just what it was that made Masaccio such a great artist.

E. H. Gombrich, in his "The Story of Art" wrote of Masaccio: "He must have been an extraordinary genius, for we know that he died when hardly twenty-eight years of age, and that by that time he had already brought about a complete revolution in painting."

Gombrich then goes on to describe one of Masaccio's paintings (in Sta Maria Novella in Florence) as he believed the Florentines would have reacted to it when seeing it for the first time: "Instead of delicate grace, they saw massive, heavy figures; instead of easy-flowing curves, solid angular forms; and, instead of dainty details such as flowers and precious stones, there was nothing but austere majestic architecture. But if Masaccio's art was less pleasing to the eye than the paintings they had been accustomed to, it was all the more sincere and moving."

In this assessment, Masolino doesn't even get a mention. He gets similarly short shrift in H. W. Janson's massive tome, "History of Art."

Encyclopedias of art tend to follow this same pattern, focusing almost exclusively on Masaccio. He is seen, along with Brunelleschi in architecture and Donatello in sculpture, as one of three connected but individual artists of the early 15th century who broke from the Gothic styles of the medieval period and decisively laid the foundations of the Italian Renaissance.

Masaccio, as a painter, was in fact crucially affected by the work of the other two men. Brunelleschi's invention of the system of perspective, making possible in a painting the rational deployment of figures in a logically definable space, and the classical naturalism and intense expression of psychological states in Donatello's sculpture, were grasped by Masaccio and put to his own use.

Kenneth Clark, in his book "Civilisation," summed up the 15th-century Florentine ideal as "the dignity of man." He observed: "The grandest of all testimonies to the dignity of man is by ... Masaccio, in the series of frescoes he painted in the church of the Carmine. What characters they are: morally and intellectually men of weight, the least frivolous of men...." Again, Masolino isn't even mentioned.

There have been monographs devoted to the lesser artist, however. One or two books, either never published in English or long out of print, have discussed both painters. And a fair amount of research, discussion, even scholarly controversy, has been aired on the tricky, completely undocumented questions of which parts of the Brancacci frescoes are the work of which artist.

Now a new book in English is out: "Masaccio and Masolino: A Complete Catalogue," by Paul Joannides. This is an enormous volume that can be used in various ways. First of all, it has quite excellent plates. The cleaning of the Brancacci Chapel, from 1984 to 1990, has brought out the surprisingly bright and lucid colors of the frescoes, long darkened. This book shows the frescoes as a whole, plus a number of remarkable full-page details. The reader can therefore come up close to the frescoes, and to their brushwork, texture, and condition, as never before.

Then there is a substantial text in the first part of the book in which the author sets out his own opinions and conclusions about the two artists and their relationship. This is based on the scrupulously detailed catalogue that fills the larger part of the volume. Even if surviving original documents about both the painters are extremely scant, later analysis of Masaccio's few extant works in particular has been extensive, and Joannides is thorough in looking at them. This is no brief, skimpy study. Thus the book belongs on the reference shelf along with other comprehensive *catalogues raisonnés*, and in libraries. The color plates, however, are what I will most return to and what one would expect to find thumbed and pored over by artists.

Although Joannides goes into extraordinary detail in his exegesis, the established characterization of Masaccio and Masolino and of their relationship remains more or less unchanged. It is even, perhaps, made more emphatic by both the author's attention to minutiae and by the vigorous language in which he describes their art.

He says, for example, of Masaccio that his "youth enabled him to become the pictorial proponent of a new art, harsh and emotive." Those two adjectives are probably chosen in order to show how unlike Masolino he was. Compare them with what he says about a head of Jesus that Joannides believes Masolino painted. It has, he says, "a softness and milky limpidity unparalleled in Masaccio's work." And he describes Masolino as "an artist of very different stamp in his conception of human form."

The difference, broadly, is that Masaccio conceived three-dimensionally. He thought sculpturally and architecturally – but in very subtle ways. He didn't let perspective (which he used as a tool to make the space and depth of his paintings convincing) become a rigid framework for his groups of figures; they move in and through space – through the air – so that the viewer is sure they have fully rounded bodies. They are not merely outlined shapes two-dimensionally placed on the

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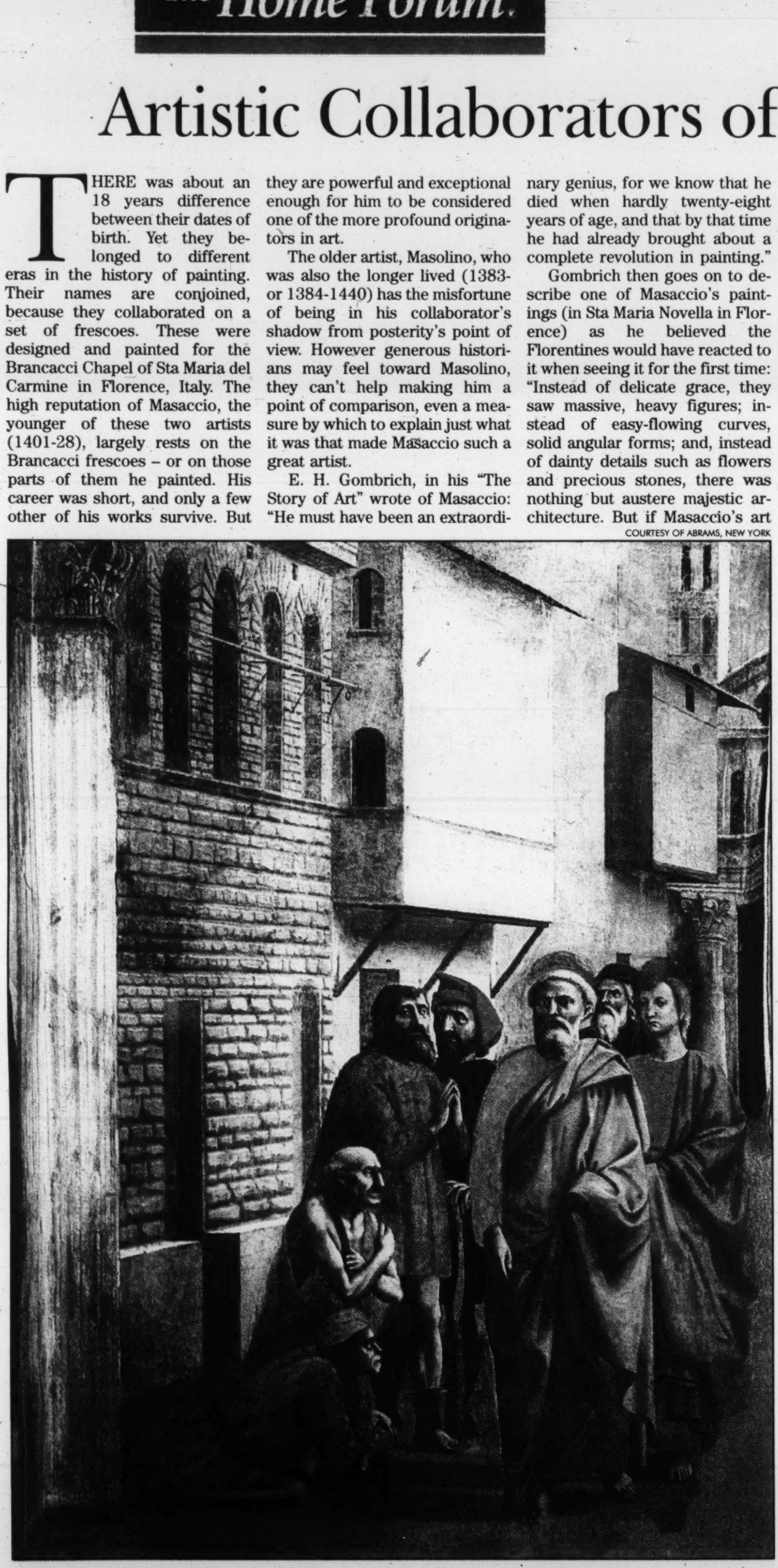

'THE SHADOW HEALING' (1425): *Fresco from the Brancacci Chapel, Florence, Italy, by Masaccio.*

MASACCIO AND MASOLINO: A COMPLETE CATALOGUE
By Paul Joannides
Phaidon Press and Abrams
488 pp., $195

THE NATIONAL GALLERY, WASHINGTON/COURTESY OF ABRAMS, NEW YORK

'THE ANGEL GABRIEL' FROM THE KRESS 'ANNUNCIATION' (1424): *Tempera and gold leaf on panel (fragment of an altar piece), 29.2 by 22.2 in., by Masolino.*

surface of the painting as Masolino's were. Masaccio's figure groups only make sense if it is understood that they have a ground plan – that the placing of their feet on the ground in the picture space and the turning of their limbs and heads is not just guessed at or fudged but clearly known and described.

Masolino, Joannides says, saw the body as "a template, not a structure." Masaccio saw it as a structure with each part capable of mobility in relation to every other part. Like Donatello, Masaccio, in Joannides's words, was "supreme" in "drama and space composition."

And also like Donatello, Masaccio's "drama" involves a portrait-like manner of expressing the inner feelings of his figures. Having said this, however, it is here that Masaccio's departure from the sculptor is also most apparent.

In fact the words "harsh and emotive" might more accurately be applied to some of Donatello's sculptures of single figures, while Joannides's somewhat different ways of describing Masaccio later in his book seem truer to the painter. He writes that "demonstrative emotion appears only rarely in Masaccio's work" and that "he was devoted above all else to the heroic." Joannides points out how the apostle Peter (who is the central figure in all the frescoes in the Brancacci Chapel) moves through these narratives about his life apparently aloof from them. He is a symbol of authority, rather than a human protagonist.

Even when Peter is (as described in the book of Acts) healing the sick, Masaccio does not show this to be so much a matter of compassion as of unmistakable presence and potent conviction.

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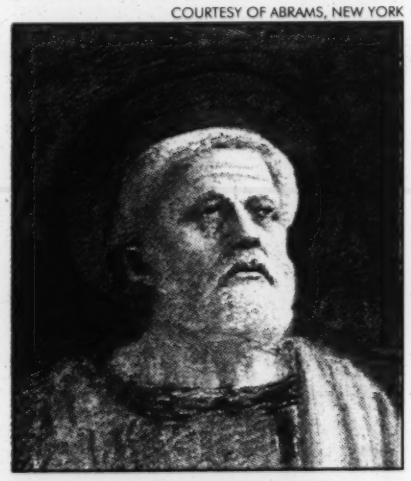

DETAIL FROM 'THE RAISING OF THEOPHILUS' SON AND THE CHAIRING OF ST. PETER' (1425): *Fresco from the Brancacci Chapel, Florence, Italy, by Masaccio and Filippino Lippi.*

When Peter is "chaired" – an apocryphal incident from the Golden Legend, not the Bible (presenting him in Catholic terms as proto-pope) – Masaccio gives Peter's expression all the grandeur he can muster.

In the all of the Brancacci Chapel, Masaccio's spirit dominates. Joannides talks of its "aura of stoic severity" and elsewhere of Masaccio as representing a "severe current in Florentine art." What remains extraordinary about the working relationship of Masolino with Masaccio is that the chapel has a definite unity, and that is in spite of their relative strengths and weaknesses. While Joannides revealingly charts the balance of power between the two artists as it developed, with the young artist becoming gradually more dominant by the time of the Brancacci Chapel collaboration, the chapel's frescoes nevertheless show that they managed to combine their efforts with quite a degree of respect for each other.

Joannides dismisses, as most recent scholars have also done, any idea that Masolino was Masaccio's master, though this was once a longstanding tradition. If either learned anything at all from the other, it would be Masolino from Masaccio, though any such influence was only temporary even then.

MASACCIO'S fierce originality – and in such a brief career – witnesses to potent ambition and a free exercise of will. Joannides does touch on a possible reason for this freedom. Son of a notary, Masaccio's social level may have been above the general run of artist at that period. This might mean he side-stepped the usual process of apprenticeship. Certainly it has been no easier for Joannides than any other authority to identify a painter who might have been Masaccio's master. So the author concludes that Masaccio may have seen the practice of art "less as a trade than as a field for experiment and self-expression." He was freer to look far back to an artist like Giotto as a predecessor, rather than to the immediate Florentine painters of his own time.

Michelangelo, a century later, would leapfrog the years to look back at Masaccio in a similar bid for independent inspiration. Geniuses – and Masaccio has often been counted as one – shout to each other in such a way over centuries; and in their lifetimes they tend to dwarf their Masolinos.

Thanks to Joannides' study, though, Masolino is given a consideration and even an appreciation that his successful association with Masaccio suggests he deserves. He may well, after all, as the senior partner and with an established reputation, have been responsible for providing Masaccio – still apparently little patronized for his own sake – with the opportunity to work at all in the Brancacci Chapel.

Christopher Andreae

Signs Spiritual

WHAT do you suppose the news reports of Jesus' final days would have said? If current-day media attention had been focused on the events surrounding his ruthless crucifixion, we might have heard speculation that his followers were left in disarray and confusion, that his beliefs were of little help to him in his greatest need and died with him on the cross, and that history would forget his brief presence.

Yet, that wasn't the end. Follow-up stories *were* filed on the events of the life of the greatest man who ever lived. Those stories, recorded in the Bible, tell of his resurrection from the grave as the result of his own prayers and demonstration of God's power—a feat never equaled on the face of the earth.

How important it is, then, to listen to the wisdom that God supplies in order to see the *whole* picture—to judge reality less by the signs material and more by the signs spiritual.

In the early seventies we saw and heard reports that the hopes of freedom fighters of a former East bloc country were dashed as military tanks rolled through their streets. But those tanks could not eliminate that taste of freedom. Not surprisingly, we're seeing more and more countries emerging from tyranny, and many others beginning their struggle for freedom from dictatorial regimes.

The Christian Science Monitor's Religious Article

There is much work that still needs to be done to bring liberty to those nations, however. We must be firm in the knowledge that the desire to define more clearly one person's inherent individuality does not require the elimination of another's individuality and freedom. Ultimately, the evil elements of suppression, hatred, murder, ignorance, will be washed clean from all peoples with mankind's recognition of the spiritual fact that we are all sisters and brothers created by an all-powerful, infinite God, good, the Father of us all.

Speaking of the nearness of God to heal human events, and the fulfillment of St. John's promise in the book of Revelation in the Bible of "a new heaven and a new earth," one of the most victorious freedom fighters of recent history writes in her book *Science and Health with Key to the Scriptures:* "Take heart, dear sufferer, for this reality of being will surely appear sometime and in some way. There will be no more pain, and all tears will be wiped away. When you read this, remember Jesus' words, 'The kingdom of God is within you.' This spiritual consciousness is therefore a present possibility." In these words, the Discoverer of Christian Science, Mary Baker Eddy, illumined the importance of adhering—clinging if need be—to the spiritual fact that God has created each of His children to express freedom, harmony, and peace. This is the kingdom of God within us.

This spiritual nature of man isn't always easy to remember, however, as we see rules and laws instituted that attempt to prohibit the free practice of religion and the natural reliance on God for healing. But we should not be tempted to believe their threat can eliminate or hinder the infinite power God alone has to heal without fail and to deliver us from those very prohibitions to practice Christianity as Christ Jesus taught us to.

Our continued prayers are needed to uplift all mankind and help us all to focus on the signs spiritual. The real report accurately states the reality of God's ability and power to free His creation from enslavement; it must be broadcast in our hearts and minds. That which leads mankind to seek the removal of tyranny from every aspect of our lives is Christian Science. We can continue to watch and pray that mankind trust God's government to build our foundation for daily living. This divine government can never be overthrown.

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"First the blade, then the ear, then the full grain in the ear."

N. Korea Backs Off Break

THE Clinton administration deserves credit for bringing North Korea back from its perilous withdrawal from the Nuclear Non-Proliferation Treaty (NPT). North Korea's announcement Friday to suspend its withdrawal from the NPT came after intense negotiations by the White House. Particularly effective was the administration's coordination of reassurances and trade incentives for North Korea by its most important neighbors – Japan, China, and South Korea.

None of the NPT's 155 members have ever withdrawn, and the possibility of quasi-Stalinist North Korea breaking with the treaty and openly developing nuclear weapons could start an international crisis.

Yet before too many congratulations are passed around, a hard look at North Korea's decision is still needed. The substantial issues leading to North Korea's threat to withdraw have not been resolved: Last year the International Atomic Energy Commission (IAEA) caught North Korea in a lie. Despite assurances that it had no weapons-grade plutonium, the advanced scientific methods of IAEA inspection found evidence of plutonium accrual in a North Korean nuclear reactor. When asked in March to open up two other sites for inspection, Pyongyang not only refused, it announced its NPT withdrawal – though it claimed US-South Korean military exercises were to blame.

What the White House achieved last week was to keep North Korea in the NPT – not halt Pyongyang's development of weapons. North Korea has agreed to allow the IAEA to conduct inspections of certain nuclear reactors – but not the key plant at Yongbyon. North Korea can still withdraw from NPT and continue a nuclear program.

EDITORIALS

It may be that Pyongyang is prepared to fully rejoin NPT but needs a period of face-saving – hence its decision merely to suspend its withdrawal. North Korea is in a period of transition from "Great Leader" Kim Il Sung to his son, "Dear Leader" Kim Jong Il, rumored to be less stable than his father. The country is impoverished, isolated, and requires the kind of patience Washington has shown since March. However, more will soon be required of North Korea.

Give 'Em Summer Jobs

WHEN the Senate Appropriations Committee adds $1.2 billion to the defense budget, money the Pentagon did not seek, it could be called business as usual in Washington. But giving the Defense Department money it hasn't even asked for while President Clinton's labor secretary is pleading with corporations to provide summer jobs for young people suggests a case of misplaced priorities.

Last week, the appropriations committee approved the extra funds for the Pentagon. The bulk of the money, some $750 million, was to help defray the costs of United States participation in the United Nations operation in Somalia. But the Pentagon noted that it can meet that obligation by transferring money from less important accounts within its existing budget, a point that some senators were unaware of until after the vote.

Mr. Clinton's $16 billion stimulus package, which fell to a GOP filibuster earlier this year, contained $1 billion for summer jobs. This would have brought the jobs program's budget to a $1.9 billion total. The supplemental appropriations bill the Senate now is considering contains only $200 million extra for jobs; the House approved $320 million.

This is inadequate to meet the demand for summer jobs, especially when economic uncertainties continue to affect companies' hiring decisions and the unemployment rates in the nation's largest cities and among teens remain in double digits.

The May unemployment figures released recently by the Bureau of Labor Statistics showed that the overall jobless rate fell below 7 percent for the first time in nearly two years, to 6.9 percent.

The unemployment rate for teens also fell, from 20.7 percent to 19.7 percent, but it is still too high.

During a press conference last week to focus on the issue, Labor Secretary Robert Reich noted that the demand for summer jobs far exceeds supply. Sign-ups have exceeded available jobs by slightly more than 2 to 1 in the nation's 40 largest cities; 211,367 have applied for 104,067 jobs. Mr. Reich noted that "given the limited public funds, the private sector needs to do more."

Yet the sluggishness of the recovery puts understandable limits on how much the private sector can do, both from the standpoint of the availability of entry-level jobs teens could fill and from the standpoint of morale among existing workers, who might look askance at teens being hired while adults are being laid off.

Clinton's initial plan for summer jobs was reasonable. Shifting even $750 million of the spur-of-the-moment defense allocation could go a long way to putting the summer-jobs program back on track.

Booting Out Haiti's Bad Guys

By Robert I. Rotberg

PRESIDENT Clinton promised two black congressmen from Texas that he would tighten sanctions against Haiti only if they voted in favor of his budget. But will tougher sanctions restore democracy in Haiti?

Until late last month, the United Nations confidently believed that the military junta, which overthrew freely-elected Haitian President Jean-Bertrande Aristide in 1991 could be persuaded to step aside, restore the elected president, and approve the arrival of 500 lightly-armed UN human rights monitors.

The UN negotiators threatened stepped-up sanctions, a tight embargo on imports of refined petroleum products, and increased economic misery – plus the carrot of an end to existing sanctions and $100 million of new aid. The people of Haiti are in such desperate economic straits that the offer could hardly have been refused. But it was. In desperation, Mr. Clinton has frozen the American bank accounts of 83 leading Haitians, barred them and their families from entry into the United States, and indicated that a petroleum embargo might be next.

The military rulers of the country have been little affected by sanctions. Nor will Clinton's latest initiative bother them much. The smuggling of contraband, drug running, skimming of humanitarian aid, and oppression have lined the pockets of the officers as well as members of the commercial class.

Tighter sanctions will squeeze the poor even more dramatically. But the junta and the elite reckon that they will still be able to make a living from whatever economic activity continues, especially smuggling. The junta and the elite fear President Aristide's return, and they want no human rights monitors who could exert a countervailing authority or some contrary legitimacy. Yet Clinton and the UN are together determined to restore democracy to embattled Haiti. The arrival of a small, well-armed force of blue berets, preferably drawn from French-speaking countries, could be the surgical instrument.

A force of about 5,000 could be adequate. Haitians would welcome deliverance from oppression, especially if Aristide returned at the same time to provide legitimacy and at least nominal authority.

The poorly-trained and lightly-armed Haitian army/police would be no match even for a comparatively small multinational force supported by US ships and aircraft. The occupying force would need to secure no more than key points in Port-au-Prince and a few outlying cities. If the Haitian officer corps were confined along with renegade soldiers, the occupying force would face no greater problems than the US discovered during its first few months in Somalia.

A UN-occupying force would therefore have a comparatively easy time. Its hard task would be to set Haiti back on a very gradual road to complete home rule and democracy. An intervening period of tutelage, with Aristide in charge but advised by UN officials, would help.

Because Haiti has never known democracy, and because the values of participation, tolerance, dissent, justice, and sharing have never been central to Haitian public or private life, the transfer of democratic principles will be exceedingly difficult.

Returning Aristide to power will be much easier than creating a state in which he and his successors could govern honestly and without brutality. But tougher sanctions and generous aid will not do the job on their own.

If Haitians are to enjoy basic human needs and rights, and if they are to begin to make something of their own country, the UN and the US must recognize and then live up to an enduring responsibility.

■*Robert I. Rotberg is president of Lafayette College in Easton, Pa.*

Factories Don't Produce Milk, Cows Do

Thank you for the front-page article "Wisconsin – America's Dairyland No Longer," May 24. With all the talk of milk production and competition between California and Wisconsin, I find it interesting that not once does the author mention that this industry deals with living creatures. Dairy cows in factory farms live very brief and miserable lives. To increase production by decreasing the quality of these animals' lives is unethical. Social change is shaky if based on this foundation.

Because of your article, I will now seek out a Wisconsin label when buying dairy products.

Cathy Woodworth ***Sonoma, Calif.***

The front-page article "Wisconsin – America's Dairyland No Longer," May 24, omits important facts necessary to understand the issues raised. Most fluid milk is produced near where it is consumed. Increased milk production in California reflects its burgeoning population. Wisconsin, with a much smaller population, exports much of its milk as cheese and butter. Even if overtaken by California in milk production, Wisconsin would still be America's dairyland, since it supplies a national market, while California's dairy industry supplies primarily a local market.

Eric J. Klieber ***Cleveland Heights, Ohio***

LETTERS

Who are the newcomers?

I am pleased to see the special report "Hispanic Americans: Into the Mainstream," May 21. However, it is critical that you correct the impression that all Hispanics are recent immigrants. Hispanic settlers first came to New Mexico in the 16th century, and now face losing the political and economic control they once had here.

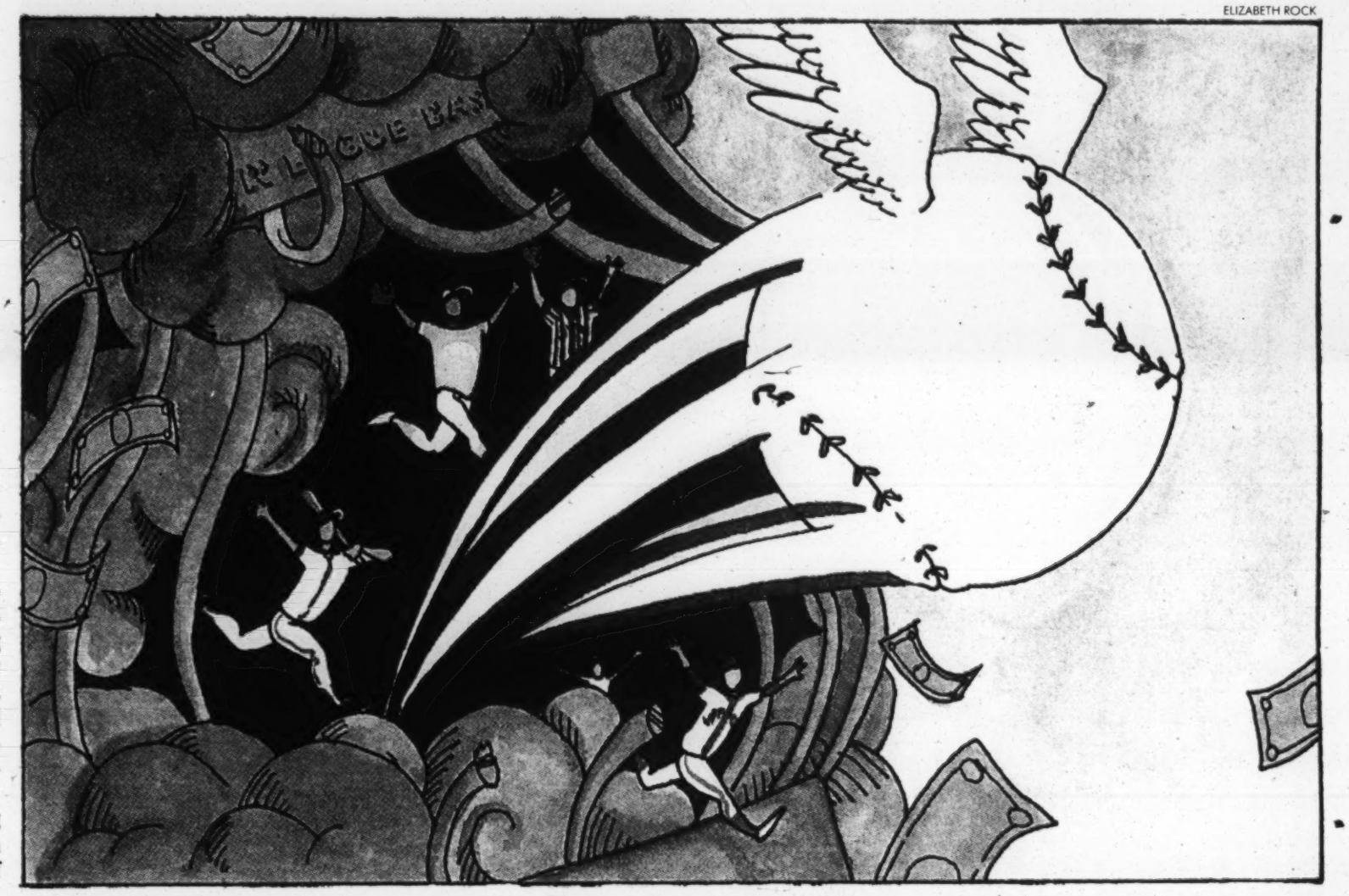
Sandra Pinel ***Santa Fe, N.M.***

Letters are welcome. Only a selection can be published, subject to condensation, and none acknowledged. Please fax letters to (617) 450-2317 or address them to "Readers Write," One Norway St., Boston, MA 02115.

OPINION/ESSAYS

Break Major League Baseball's Monopoly

Ending baseball's antitrust exemption could lead to teams with more diverse ownership, moderate player salaries, and maybe even daytime ballgames



ELIZABETH ROCK

By Warren Goldstein

BASEBALL is in trouble. The major leagues themselves could be teetering on the brink of collapse in the next few years. Fans of the national pastime are understandably worried.

But the best thing we can do is celebrate and help Major League Baseball (MLB) over the edge. I made the mistake of saying something like this just before opening day in front of my nine-year-old son, who burst into tears. He thought I meant baseball should go down the tubes. Quite the contrary; professional baseball should be liberated from MLB's current monopoly.

Many fans like to recall a great hitting performance, or read about a Nolan Ryan no-hitter. Fewer care to learn the details of how Barry Bonds' salary is structured. Fewer still can or would want to follow the broadcast and payroll economics of a professional team.

Fans nevertheless sense that what's wrong with the game has something to do with money: with the price of hot dogs and peanuts at the ballpark; with the astonishingly high salaries; with the decreasing number of games on network television. This is not a happy sequence of thoughts, especially for those who, like me, sided with the players over the reserve rule and free agency.

It was so much easier to be on the side of the angels in years past. The reserve rule was an unjust labor contract. It was fun to watch owners thunder about Armageddon while writing unprecedented checks to savvy stars like Reggie Jackson, Oscar Gamble, Dave Winfield. Even the big salaries were defensible: When Geraldo Rivera, Vanna White, and corporate lawyers are brought down to $50,000 a year, so should a long reliever with an ERA over 4.00.

But Bobby Bonilla's $29 million last year and Barry Bonds' $42 million have been unsettling. And why should baseball's corporate leadership have so much power that it could – at the behest of the New York Mets – veto a franchise coming to my county on Long Island, 35 miles from Shea Stadium?

Fortunately, the solution to baseball's troubles is percolating in Congress. On the heels of the major leagues' extremely limited, highly publicized, high-rolling expansion, and the airing of dirty laundry occasioned by the firing of Commissioner Fay Vincent, a growing number of senators and representatives are talking about lifting baseball's antitrust exemption. Even the United States Supreme Court, when it last upheld the waiver, invited the legislative branch to recognize baseball's status as interstate commerce and therefore subject to rules about fair trade and monopolistic behavior. Congress could do no better than in one swing of the legislative bat to nullify the exemption (the only one in pro sports) and break MLB's control over the baseball business.

Such a move would bring dramatic changes. The only reason there are 28 major league teams now is that the baseball cartel has restricted their number (otherwise known as controlling the supply). Demand, interestingly, has soared; minor-league attendance alone has risen two and a half times since 1975.

So franchises would bloom wherever local businesses, municipalities, and fans wanted to put up the money to have one. Leagues would multiply. No one would have to ante up $95 million for the privilege of joining an existing league's cellar (which is what the Colorado Rockies and Florida Marlins had to do) because no one league would have enough power to extract that price. Currently, MLB exercises its right of approval over potential baseball owners, markets, stadium contracts, even the structure of ownership.

There are no municipally owned baseball franchises only because owners and the commissioner have refused to consider them. New big-league owners have had to be fantastically wealthy. In a post-MLB world, baseball ownership would be far more open to genuine entrepreneurs, be they African-American, Hispanic, women, or maybe even players themselves.

Quite naturally, fans will wonder about the quality of the players on these new teams. Take the ratio of the general population to big-league ballplayers around the turn of the century – the era of John McGraw, Honus Wagner, and Christy Matthewson – and apply it to today's population. This would yield enough ballplayers to stock between 40 and 74 teams. Five years ago sabermetrician Bill James estimated that the US could support 60 major-league teams, even without considering the ballplayers throughout the Caribbean and Latin America. If there were more room at the top of the baseball profession, we might even find more young people trying to make a living in the game.

ONCE the minor leagues – where the reserve rule still reigns, salaries remain very low, and rosters are at the mercy of the parent club's needs – were freed from the shackles of MLB, the game would become even more attractive to younger players. Fans would also like to root for a team that, without major-league interference, would have a chance of winning.

It should be clear by now that the stratospheric salaries of recent years simply couldn't be supported by baseball in an era of real free enterprise. Without the protection of a cartel, no team could corner enough of the market to be able to afford such outlandish sums. Only national television markets and networks, and a central source of supply, could produce the $100-million contracts that have driven the salary inflation of recent years. Instead, local and regional television contracts would proliferate. Ballplayers would probably still be well paid, but overall they would become a lot more like ordinary folks with a skill and talent.

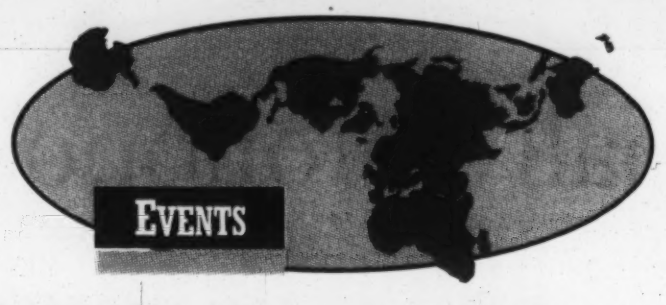
And if the lure of hitting the fairy-tale jackpot and the pressure on athletes to keep the big money flowing disappear, athletes might be less likely to try to better their performance or escape from the strain by drinking or using other drugs.

There would be a downside to the new era. Some fans would agonize over the changes in long-cherished teams and leagues. My hunch is, though, that after the first few years of instability and even chaos, most of us would be happier. There would be more baseball teams and games; more televised baseball; lower player salaries; and professional baseball would be closer – in many senses – to where most Americans live.

Some traditions would take a beating, but others would make a comeback. George Steinbrenner might sell the Yankees and Washington D.C. might get its teams back. Maybe women's professional baseball would return. And who knows, someone might even schedule day baseball games – think of it, a daytime World Series! – again.

If the Clintons can go after health care reform, and members of Congress who want to be reelected can consider new taxes, then we fans ought to be able to muster the gumption to challenge Major League Baseball. After all, Arkansas doesn't have a big-league team. Neither, Senator Dole, does Kansas. How about Wichita, say, or Topeka?

■ *Warren Goldstein teaches American Studies at the State University of New York/College at Old Westbury and is the author of "Playing for Keeps: A History of Early Baseball," to be published by Hill & Wang.*



UN LOOKS INTO GULF WAR TOXICS

The United Nations has quietly begun an inquiry into possible health threats to Iraqi and Kuwaiti civilians from uranium-loaded United States ammunition littering the old Gulf war zone, Associated Press reports. The new interest by the UN Environment Program comes as Congress is investigating whether US soldiers in the 1991 conflict were harmed by the toxic, slightly radioactive dust from tank and aircraft cannon rounds made of depleted uranium.

Serbs press toward Gorazde

Serb ground forces punched through several defense lines around the besieged Muslim town of Gorazde yesterday, while Muslims and Croats clashed in heavy fighting elsewhere in Bosnia's three-cornered civil war.

The commander of the UN Protection Force (UNPROFOR), Gen. Phillipe Morillon, said Saturday that the former Yugoslav republic was sliding into "a state of total anarchy."

This, he said, could force his troops to pull out of Bosnia. His announcement prompted an immediate upsurge in fighting.

Meanwhile in Geneva, international mediators Lord Owen and Thorvald Stoltenberg met Bosnian President Alija Izetbegovic yesterday in renewed diplomatic efforts to end the war.

El Salvador drug bust

Three Mexicans arrested in San Salvador during the seizure of more than six tons of cocaine are members of a gang whose leader was arrested in connection with a shootout that killed a Mexican cardinal, police said Saturday.

A special anti-drug unit used dynamite on June 10 to break into a warehouse where they seized more than six tons of cocaine worth an estimated $207 million. The bust was the largest ever in Central America.

Nigerian elections

An estimated 30 percent of the registered voters cast ballots in Nigeria's attempt to transfer power from the military regime of Gen. Ibrahim Babangida to a civilian government. The Saturday election was met with widespread apathy and criticism.

Moshood Abiola, a publishing baron running for president as head of the Social Democrats, won Nigeria's biggest state, partial election returns showed yesterday, while his Republican opponent, Bashir Tofa, lost his home region.

Only two of 30 states reported results early yesterday, and final results were not expected until tomorrow.

US warns Israel on arms

Washington has told Israel the Defense Department must approve its future purchases of US arms with American aid, a spokesman for Prime Minister Yitzhak Rabin said yesterday. US officials called for closer control after an Israeli Air Force purchasing chief was jailed in 1990 in a multimillion-dollar bribery and fraud scandal.

Perot group picks leaders

Ross Perot's United We Stand America is nominating candidates for the organization's district offices in Florida and California this weekend, but elected officials need not apply.

Organizers are afraid that letting public officials hold office would force the group to comply with federal elections laws.

The two states are the first being formally organized by United We Stand America, Perot's grassroots organization to put political pressure on Congress, shape national policy, and decide the outcome of elections.

Members were urged to oppose the North American Free Trade Agreement and insist on spending cuts before any taxes are increased. The organization has refused to release membership figures.

Mickey Mouse goes Saudi

The officially licensed figure of Mickey Mouse will bound over the desert dunes of Saudi Arabia for the first time this fall, Walt Disney Company officials said on Saturday.

Unauthorized Disney videos and other paraphernalia already can be found in many stores in Saudi Arabia. But a new joint venture with a Saudi company marks the first time Disney products will be licensed in the Gulf.

"Disney is perfect for Saudi Arabia. The characters are pure, clean fun for our family-oriented society which places a premium on the well-being of our children," said Ahmed Jawa, managing director of Contracting and Trading, the US-Saudi joint venture.

– Compiled by Scott Baldauf

No Fury Like a Chancellor Scorned

MAJOR from page 1

But in subsequent months the chancellor had to explain continuing rises in unemployment and business failures, in the trade gap and the budget deficit. Then, in September, the pound came under tremendous pressure, and Britain was forced to quit the exchange rate mechanism (ERM) of the European Monetary System.

Then the government that had trounced its Labour Party opponents only six months earlier suddenly began sustaining a series of setbacks unparalleled in Britain's postwar history.

David Mellor, a senior minister, was forced to resign after a sex scandal. A plan to close nearly three dozen coal mines came under attack from government supporters in parliament and had to be shelved. Conservative parliamentarians opposed to the Maastricht Treaty on European unity began harrying the government. A case against businessmen accused of selling arms to Iraq collapsed amid evidence that the government itself was implicated in the sales.

'Unless [Major's] approach is changed, the government will not survive – and will not deserve to survive.'

– Norman Lamont

Lamont himself was forced to admit that he had failed to pay personal credit-card bills and had accepted government money to meet a bill from his own lawyer. In March the government was defeated on a Commons vote on the Maastricht bill. Lamont introduced a budget that put heavy taxes on fuel. Two months later the Conservatives lost heavily in a key parliamentary by-election.

Despite an earlier statement that his chancellor's performance was "brilliant," Major, acting on advice from party managers, ordered a Cabinet reshuffle in which Lamont was dropped. For 12 days Lamont simmered. Then, on June 9 the House of Commons was riveted by a Lamont speech accusing Major of sheltering behind him during and after Britain's withdrawal from the ERM.

Lamont charged Major with manipulating interest rates for political advantage and claimed that the government was listening too much to pollsters and party managers.

"We get the impression of being in office but not in power," Lamont said. "Unless this approach is changed, the government will not survive – and will not deserve to survive."

Lamont's devastating remarks came as a shock to Major. They immediately preceded a Commons debate on the economy in which Major led for the government. John Smith, the Labour opposition leader, took full advantage and flayed the government.

The falling out between Major and Lamont has exposed an already unpopular prime minister to even more severe pressures. Before he sacked his chancellor, the prime minister's popularity rating had sunk to 22 percent – the lowest since polling began. Yesterday it had fallen to 16 percent.

A personal attack on Lamont by Sir Norman Fowler, the Conservative Party chairman, for having made a "dud" and "nasty" speech, drew a vitriolic response. Through an intermediary, Lamont told Major that unless attacks stopped, he would make more disclosures. On the same day, Major told parliament that the uproar caused by Lamont's sacking was only a "little local difficulty," but the senior Conservatives suggest otherwise.

Sir Marcus Fox, influential chairman of the Conservative Party's backbench parliamentary committee, said a challenge to Major's leadership in the autumn was "unlikely," but conceded that Lamont's analysis of Major's performance reflected the concern of some Conservative parliamentarians.

Another leading Conservative said privately that Major had "one year to prove himself," and that if he failed to do so, he could "expect a challenge" next year.

Lamont meanwhile has told colleagues that he plans to be an active critic of Major if he thinks criticism is warranted. With tax increases and heavy public spending cuts probable in the autumn, Major's former friend may not lack things to complain about.